THE DRUG ENFORCEMENT CRISIS AT THE LOCAL LEVEL

HEARING

BEFORE THE

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL HOUSE OF REPRESENTATIVES

ONE HUNDRED FIRST CONGRESS

FIRST SESSION

MAY 31, 1989

Printed for the use of the
Select Committee on Narcotics Abuse and Control

SCNAC-101-1-5

U.S. GOVERNMENT PRINTING OFFICE
20-790 WASHINGTON : 1989

For sale by the Superintendent of Documents, Congressional Sales Office
U.S. Government Printing Office, Washington, DC 20402

H961-25.

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

(101st Congress)

CHARLES B. RANGEL, New York, *Chairman*

JACK BROOKS, Texas
FORTNEY H. (PETE) STARK, California
JAMES H. SCHEUER, New York
CARDISS COLLINS, Illinois
DANIEL K. AKAKA, Hawaii
FRANK J. GUARINI, New Jersey
DANTE B. FASCELL, Florida
WALTER E. FAUNTROY, District of Columbia
WILLIAM J. HUGHES, New Jersey
MEL LEVINE, California
SOLOMON P. ORTIZ, Texas
LAWRENCE J. SMITH, Florida
EDOLPHUS "ED" TOWNS, New York
JAMES A. TRAFICANT, Jr., Ohio
KWEISI MFUME, Maryland
JOSEPH E. BRENNAN, Maine
NITA M. LOWEY, New York

LAWRENCE COUGHLIN, Pennsylvania
BENJAMIN A. GILMAN, New York
MICHAEL G. OXLEY, Ohio
STAN PARRIS, Virginia
F. JAMES SENSENBRENNER, Jr., Wisconsin
ROBERT K. DORNAN, California
TOM LEWIS, Florida
JAMES M. INHOFE, Oklahoma
WALLY HERGER, California
CHRISTOPHER SHAYS, Connecticut
BILL PAXON, New York
BILL GRANT, Florida

Committee Staff

Edward H. Jurith, *Staff Director*
Elliott A. Brown, *Minority Staff Director*

CONTENTS

Page

Opening statement of Hon. Charles B. Rangel, U.S. Congress 1
Opening statement of Hon. Lawrence Coughlin, U.S. Congress 2
Opening statement of Hon. Walter E. Fauntroy, U.S. Congress 3
Opening statement of Hon. William J. Hughes, U.S. Congress 4
Testimony of Mayor Kathryn J. Whitmire, mayor of the city of Houston, TX 5
Testimony of Mayor W. Wilson Goode, mayor of the city of Philadelphia, PA 8
Testimony of James P. Moran, Jr., mayor of the city of Alexandria, VA 10
Testimony of Sue Myrick, mayor of the city of Charlotte, NC 15
Testimony of Robert Morgenthau, District Attorney, New York County 39
Testimony of Fred B. Ugast, chief judge, Superior Court of the District of Columbia 43
Testimony of George W. Wilson, Director, Ohio Department of Rehabilitation and Correction 49
Testimony of Warren G. Woodfork, Superintendent, New Orleans Police Department 52
Opening statement of Hon. James H. Scheuer, U.S. Congress 62
Testimony of Joe Whitley, Acting Associate Attorney General 64

Prepared statements:

- The Honorable Charles B. Rangel 76
- Kathryn J. Whitmire 81
- Mayor W. Wilson Goode 105
- James P. Moran, Jr 115
- Sue Myrick 133
- Robert M. Morgenthau 143
- Fred B. Ugast 154
- George W. Wilson 170
- Warren G. Woodfork, Sr 183
- Congressman James H. Scheuer 206
- Joe D. Whitley 207
- Raymond Whitfield 226

Submissions for the record:

- A status on the implementation of Anti-Drug Abuse Act Block Grant Programs in cities 88
- Letters and additional material follows 224

HEARING ON THE DRUG ENFORCEMENT CRISIS AT THE LOCAL LEVEL

WEDNESDAY, MAY 31, 1989

House of Representatives,
Select Committee on Narcotics Abuse and Control,
Washington, DC.

The Select Committee met, pursuant to call, at 9:00 a.m., in room 340, Cannon House Office Building, Hon. Charles B. Rangel (chairman of the select committee) presiding.

Members present: Representatives Charles B. Rangel, James H. Scheuer, Walter E. Fauntroy, William J. Hughes, Joseph E. Brennan, Nita M. Lowey, Lawrence Coughlin, Benjamin A. Gilman, Wally Herger, Christopher Shays, and Bill Paxon.

Staff present: Mr. Edward H. Jurith, staff director; Elliott A. Brown, minority staff director; George R. Gilbert, counsel; Michael J. Kelley, counsel; Rebecca L. Hedlund, professional staff; Barbara A. Stolz, professional staff; Melanie Young, minority staff; Richard Baum, minority staff; and Steven Weigler, minority staff.

Chairman Rangel. The Select Committee will come to order.

Good morning. Today, the Select Committee on Narcotics Abuse and Control is pleased to welcome a distinguished group of mayors and other public officials to talk about the impact of drug abuse, drug trafficking and drug-related crime on drug enforcement and criminal justice at the local level.

In recent months, the mounting wave of drug crime, drug-related murders and violence in our nation's capital has really captured the nation's headlines. With the media glare focused on Washington, it's been too easy to lose sight of the fact that the narcotic problem is not just a District of Columbia problem. As a matter of fact, it is not just a big city problem anymore. The sad truth is that the drug abuse problem is paralyzing the criminal justice system.

Today, we will be reviewing the impact of drugs on other jurisdictions and, in particular, the impact on the criminal justice system. As a matter of fact, we will be taking a look to see what problems are at the local level and get recommendations as to what needs still have to be met.

We are especially interested in what the Federal Government can do in helping local jurisdictions combat these drug problems. A recent Washington Post story indicated that the production of coca leaves and the processing of cocaine are completely out of control and that there's a near breakdown of United States anti-drug policy in Latin America. As most of you know, we recently lost a DEA agent in Peru.

So, when we have this situation where the past President says, "Declare drugs as a threat to our national security," we have serious questions as to what priority narcotics control gets as it relates to our foreign policy.

In addition to that, we have the problem of appropriations. I think everyone would admit that the Congress courageously passed the omnibus Anti-Drug Abuse Act of 1988 on the eve of our reelection efforts. However, when we came back to Congress, we found a lot of difficulty in matching the money to our commitment. Even now, as the House has passed a supplemental appropriations bill for fiscal year 1989 with an additional $125 million for state and local enforcement as a part of the $822 million included for anti-drug efforts, the bill still stands a possibility of veto.

Recently, on the steps of the Capitol, the President talked about his initiative against violent crime. But, the President was talking about Federal crime, talking about Federal prisons. When you have a prison population of 600,000 in the United States, one of the largest in the civilized world, and only 40,000 of those are Federal, there's not much easing of the tensions and the problems that we find on the local level.

Many people have said that we should wait for National Drug Director William Bennett to pull together the strategy and the policy. Well, I for one will not believe that in the last eight or nine years that we've had no strategy or we've had no policy. In any event, I do believe that the Cabinet officials should not keep secret from us those policies that Mr. Bennett is supposed to coordinate.

We've sent letters out to all of the Secretaries to come and share with us these policies so that we will know what it is that Mr. Bennett will be coordinating. Sometime during the hearings we will be having, we'll be glad to share with you the responses, but just as important, those that did not take the time to respond.

We are concerned about the jail situation and how it works in your jurisdictions. In the City of New York, we're paying over $100,000 to construct a cell. We're paying some $40,000 a year to maintain an inmate. There is some talk about alternatives to jails that would allow for training and other opportunities to develop skills. But our major concern is that we just don't wait until the eve of the next election to come up with another omnibus bill.

We want to know what your needs are. We want to know what you see as the Federal role. And we want to specifically call attention to the fact that Mr. Bennett doesn't want any Federal initiatives to be considered in any way that will cause the local governments to run away from their responsibility. Mr. Bennett says that he doesn't want you to ask for Federal assistance because that would be a confession of your failed policy. So, I may ask you to directly deal with that, at least the international part of your mayor's office.

Let me at this time yield to my distinguished colleague, Larry Coughlin, who is the Ranking Minority Member.

[Statement of Chairman Rangel appears on p. 76.]

Mr. COUGHLIN. Thank you, Mr. Chairman.

I look forward to hearing from those who are in charge of the war on drugs at the local level. We always have a lot to learn here in Washington and we can learn it best from those who are on the front lines of the fight against drugs.

As you know, the President has indicated in his inaugural address his commitment to the war on drugs. He has provided more funding for drugs in his initial budget. The Secretary of State has also indicated his commitment. Director Bennett is working full-time on developing a new strategy for the war on drugs at a national level.

In just the past four years, our funding at the Federal level for drug programs has gone from $2 billion a year to more than $6 billion a year. We continue to work on this. Director Bennett has indicated his interest in using Washington, DC as a model to try to determine what anti-drug efforts are most successful in a major metropolitan area. Of course, we need to hear from other metropolitan areas as well.

There have been critics of what Director Bennett is doing. There have been critics of the President's anti-drug program. The fact is that the effort being made by this Administration, as well as by the Congress, is larger than it has ever been before.

So, we welcome you here and look forward to hearing your testimony.

Chairman RANGEL. Mr. Fauntroy.

Mr. FAUNTROY. Thank you, Mr. Chairman.

I, first, want to express our thanks to you for convening this very important hearing on the drug crisis at the local level. For when all is said and done, it is at the local level that the rubber of illicit drug traffic hits the road of human misery and despair with all of its devastating consequences for our people.

We here in Washington, DC, who are responsible for the shaping and the implementation of our national drug policy, are relatively well insulated from the daily exposure to the sights and the sounds and the smells and the convulsive emotions that ravage our city streets, our neighborhoods, our courtrooms, and our fetid, overcrowded jails.

Mayors Whitmire, Goode, Moran, and Mayor Sue Myrick know something about that because they must manage the mess created by illicit drug traffic on a daily basis.

District Attorney Morgenthau and Chief Judge Ugast, Corrections Director Wilson and Police Superintendent Woodfork know a great deal about administering the criminal justice dimensions of our drug epidemic because they must oversee the process in its many complicated and often sordid details.

Then, our Acting Associate Attorney General Whitley knows something about the minutiae of our Federal Government's effort to relate to the drug enforcement crisis at the local level because it is our Department of Justice which has the unenviable task of taking the point position on the Federal phalanx that we attempt to fling at this, the most serious internal security threat confronting our nation today.

Having said all that, Mr. Chairman, I am ready to sit back, shut up, listen, and learn. I want to thank you for the opportunity that you have given all of us on this Committee and in the nation to learn from these practitioners at the local level who confront the problem where the rubber hits the road.

Chairman RANGEL. Well, we're lucky to have Bill Hughes here, who is the Chairman of the Subcommittee on Crime. That will be the actual committee that will have legislative authority over issues such as this from the Judiciary Committee. The Chair recognizes the chairman.

Mr. HUGHES. Thank you, Mr. Chairman.

First, let me congratulate you on convening this hearing. The crisis at the local level is real. It's timely and I regret that I will not be able to hear all the testimony because I have a hearing at 10 a.m. on international terrorism and the long-arm statute that we passed a number of years ago and some of the problems that have developed with the FBI being denied access to material that is important to them in the pursuit of the long-arm statute. So, I won't be able to join you.

But I want to join with my colleague from Pennsylvania in particular, Larry Coughlin, in welcoming our Mayor Wilson Goode from Philadelphia and his testimony.

Mr. Chairman, Larry Coughlin is right. We've increased from $2 billion to $6 billion of the resources that we're not putting to the task of fighting drugs. But unfortunately, we start from a very low base. You may remember in 1981 and 1982, the Reagan Administration practically disseminated many of our law enforcement agencies and it took us about four years to rebuild after the loss of many seasoned agents that were caught in those R.I.F.s that occurred during that period of time.

In addition, the problem has increased tenfold since 1981. We're awash in drugs today, as our local officials will testify to, and the criminal justice system is in serious trouble. I worked in the system, as have you, Mr. Chairman, most of my adult life and I never remember a time when we've had so many problems with the system. We've lost certainty in the system, certainty that those that commit crime will be caught and certainty that those that are caught will be punished. We have no more serious problems in all those links in the criminal justice chain than we do in the penal system.

Many of our Federal institutions are at 200 percent more than the carrying capacity and most of our States are somewhere between 40 percent and 50 percent overcrowded. Many of our county jails are housing long-term prisoners. All we're doing is warehousing the prisoners. We're not dealing with their problems, their psychiatric, their psychological problems, their personality problems, their substance abuse problems. They come into the system illiterate, they leave the system illiterate. They have no skills, so we shouldn't be surprised that they're back in the system within a matter of a few days often and more often than not, within six months most of them are back in the system again and we shouldn't be surprised.

Mr. Chairman, we need to develop a whole host of alternatives, first of all, to institutionalization. I happen to believe that the boot camp concept is a good concept. We should look at it. N.I.J. is studying it now. It's a short-term concept. Many of the States now, some nine States, have such programs in place. It offers the opportunity in 60 to 120 days to try to deal with many of the problems. Then, with provision of the community, training, education, other programs, we can reach a prison population that we're not now reaching and also do something about those that the judges now have no options.

In D.C., we're seeing people come into the system four and five times, arrested and then released because the judges have two options. Either they release them back into the neighborhood or sentence them to a long-term prison.

Mr. Chairman, we need to deal with that problem to put certainty back into the system.

Finally, we need more resources. We have fought, you and I and others on this Committee have fought for the local and State assistance programs. It's been zero funded more times in the last eight years than most programs in the justice function and yet it's at the State and local level that the problems exist. They're the ones that have to prosecute the street crime today, at the local level. We have excellent programs, we just haven't funded them. We have an excellent strategy, we just haven't carried the strategy out.

So, Mr. Chairman, I look forward to hearing from the witnesses in the next half hour that I can spend with you so that we can hear from them as to the dimension of the problems that exist in their communities today.

Thank you, Mr. Chairman.

Chairman **Rangel**. Thank you. Let's hear from the front line troops. The Mayor of Houston, Texas, and Vice President of The United States Conference of Mayors, Kathryn Whitmire. We have already referred to the Mayor of Philadelphia, Pennsylvania, W. Wilson Goode; the Mayor of Alexandria, Virginia, James P. Moran, and Sue Myrick, Mayor of Charlotte, North Carolina.

If you can come forward, we'll start our hearings. Mayor Myrick is not here yet.

You know why we're here. We're here to learn from you. Your full statements, without objection, will appear in the record. You could either highlight your written statement or share other views that may not be included in that document.

Madam Vice President of The United States Conference of Mayors, Mayor Whitmire.

TESTIMONY OF MAYOR KATHRYN J. WHITMIRE, MAYOR OF THE CITY OF HOUSTON, TX

Mayor **Whitmire**. Thank you very much.

Mr. Chairman, Members of the Committee, I am Kathy Whitmire, the Mayor of Houston, and I'm scheduled next month to become President of the United States Conference of Mayors.

I very much appreciate the opportunity to testify before you today, along with my colleagues from the Conference of Mayors and on behalf of the Conference as well as the City of Houston.

I want to begin by thanking the distinguished members of this Committee for the leadership that you have provided at the Federal level and the commitment that you have made in developing the anti-drug acts of 1986 and 1988 as the first comprehensive Federal effort to address the drug problem in our cities.

I must tell you, however, that today, in my city, the fourth largest in the nation, and generally in the major urban centers across this country, that the problem of narcotics abuse and drug-related crime is the single most pressing problem that we face. It is the problem that destroys our neighborhoods. It is the basis of most of the crime that is committed in our communities today, and it is the major threat that faces the younger generation in our communities.

That's why I have declared it my top priority within the City of Houston and that is why it is also the top priority of the U.S. Conference of Mayors. We feel that progress is being made, but progress is not being made as fast as the problem is increasing.

In the cities over 50,000 population in the United States, last year we saw a six percent increase in homicides. We believe that the increase in homicides can be directly tied to the drug problem. And we see the individual cases that are so heart wrenching, the brutal murder of Mark Kilroy, a young man from my community down on the Texas-Mexico border a few weeks ago, has highlighted in Texas the serious problems brought about by drug-related crime. Then, just a couple of weeks ago, the death of four law-abiding family members within our community in Houston whose house was set fire by drug addicts seeking retaliation against them for having reported them to the police.

Those are the kinds of brutal crimes that are coming to our attention in the cities on a regular basis as a result of the drug problems in our communities.

Well, what are we doing about it? We're doing quite a bit. Fifty cities surveyed by City and State magazine have indicated that they have increased by 32.6 percent in 1988 the amount of funds being dedicated to fighting drugs in their cities. In my community, we reviewed the changes since 1982. We saw that the funds dedicated to narcotics enforcement in the City of Houston have increased by 500 percent since 1982. That includes narcotics investigation, street level enforcement as well as the educational programs conducted by our police department in the communities.

But even as this increase in funding at the local level has occurred, we've been studying the effect that drugs have on crimes committed in our city and we find that 65 percent of the people arrested for committing major non-drug offenses were on drugs at the time of the arrest, indicating clearly that the drug problem is causing the increase in crime, in our city particularly, and we believe in many others across this nation.

I want to focus for just a moment on the situation in Houston. We are a major port city, an international city, a gateway to Latin America. We're proud of the fact that our international seaport handles more tonnage in international cargo than any other in the United States. While we market our community as an international trading center, this fact has not been lost on the drug traffickers and they have seen it as an opportunity for international trade as well.

And frankly, as Federal efforts have increased in the Florida area in dealing with drug importation, we have seen the drug dealers moving west and moving to Houston as a major center for importation of drugs. We believe that the Federal Government needs to take a very serious look at our borders and at our major seaports and our major ports of entry and determine ways that the

Federal Government can take a much larger role in controlling the flow of narcotics into our communities.

But let me get back to this issue of local law enforcement, because it's a major priority for each of us in our cities and we know it is a major priority of yours as well.

We appreciate the fact that in the '86 and '88 anti-drug acts you have included block grants for law enforcement, as well as for drug education and treatment. However, we know that you're well aware of the problems that have existed in the Administration of these block grant funds and the slowness with which they have been received at the local level and, in fact, the inadequacy of the amounts of local assistance that have been provided, particularly in the law enforcement area.

Just one example that I think demonstrates the point. We have been very fortunate, very pleased to receive now a total of about $700,000 into our local police department in Houston from the Federal Anti-Drug Act over a period of two years. We received $500,000 in one year which was $200,000 from the State block grant and $300,000 as a direct grant from the Bureau of Justice Assistance. Then, the following year, we received an additional $200,000 as a direct grant from the Bureau of Justice Assistance.

These are nice efforts to assist us in local law enforcement. Our dedicated local tax dollars to this cause amount to $171 million. So, we appreciate the fact that in a year we can receive Federal assistance of a half million. But I believe you can see that it is a small increase in our effort when we've already put $171 million of local dollars in that same cause. We are hoping to see the Federal Government take a larger role in this front line effort to combat the flow of drugs in our neighborhoods. That's one of the things that we would ask you to consider today.

We would also ask you to review the testimony that we have provided, indicating the lack of participation of cities in the administration of the State block grant and the fact that more than two out of three of the cities that we have surveyed within our membership have indicated that the block grant programs have not been responsive to their cities' needs and even 23 percent of the surveyed cities have never received any of the block grant funds flowing through the States to the local governments.

Finally, I have submitted with my testimony the official policy of the Conference of Mayors with regard to the drug problem in our communities and our recommendations to strengthen the Federal partnership with the cities in addressing this, our most serious problem.

Generally, we are requesting a stronger effort to control the flow of narcotics into this country and the inclusion of military efforts at the Federal level in addressing the problem of narcotics importation.

We are requesting that the Federal Government declare the importation of illegal drugs a major issue in this nation's foreign policy.

We are requesting a direct Federal/city relationship be instituted with regard to the use of Federal dollars in local law enforcement.

And we are requesting that a higher priority be put on what we call treatment on demand. That is, if drug users are expected to finally be able to eliminate their drug problem and return to the mainstream of society, we're going to have to provide them help. Today, most drug users who want help, who want to end this cycle, are not able to get it. So, we would put a high priority on treatment on demand and we would ask for a national educational campaign to educate the younger generation about the dangers of drugs and the reasons to say no to this horrible cycle of drug, crime, and abuse.

Mr. Chairman, again, we appreciate the leadership that you have provided. We look forward to working closely with your Committee as new policies are developed at the Federal level and we believe that winning the war on drugs has to be our highest priority in the Conference of Mayors, in the City of Houston, and in the Congress of the United States.

Thank you very much.

Chairman RANGEL. Well, thank you, Madam Mayor, and we thank the Conference of Mayors for always being available to share your views with us.

[Statement of Mayor Whitmire appears on p. 81.]

Chairman RANGEL. We have the distinguished Mayor of Philadelphia, Wilson Goode.

TESTIMONY OF MAYOR W. WILSON GOODE, MAYOR OF THE CITY OF PHILADELPHIA, PA

Mayor GOODE. Mr. Chairman, distinguished members of this Select Committee, I want to join with Mayor Whitmire and Mayor Moran in thanking you for your leadership, thanking you for keeping this issue in the forefront where it belongs.

I join with Mayor Whitmire in saying to all of you that illegal drug use and illegal drug sales are the most critical problems facing our cities today. It is changing the relationship in our neighborhoods. It is forcing people to live behind bars. It is changing relationships in homes, among family members, and it is changing the whole quality of life in our city.

It is driving in an absolute, direct way the commission of crime within our cities. We have done studies which show that as much as 80% of crime committed is directly related to either illegal use or sale of drugs. We do not know of any other problem facing urban America that is more critical to find a way to reduce than the illegal use and sale of drugs within our community.

The problem that we face is both a national and international problem. Locations may vary, the numbers may very well vary, but the problem is the same.

In Philadelphia, the dramatic increase in drug arrests and cases have impacted upon the operation of our police department, our district attorney, our public defender and our courts. These increases strain the operations of those agencies and they threaten to strangle the City's limited resources.

For example, drug cases in our common pleas court have increased by 736 percent since 1980. Juvenile court has had an increase of 80 percent since 1980. To better deal with the increased drug problem, I established the Mayor's Anti-Drug Leadership Council, bringing together every single leader that I could find to try and say that this is a problem with which every single aspect of our community must be involved. No one can be left on the sideline. Everyone must be involved. Everyone must contribute to solving this problem. These 17 individuals have indeed, within the first four months, produced a 60 page anti-drug strategy for the community, outlining the City's existing and planned anti-drug activities. We wanted to know what was being done, how much of what is being done should we increase, and what are the gaps. We've explained what the gaps are and we've released this. We're now trying to find ways to fill the gaps.

We have masonry sealed 412 crack houses to date. Our idea behind this is that if you take a block in a neighborhood where people are dealing in drugs, you take that house, you seal that house up, you drive the drug pushers out, and at least in that one block, in that one neighborhood, you're able to keep the drug pushers out of the neighborhood.

We've appropriated over $1 million for the next two years to fund an anti-drug use strategy. This strategy will be community based and include education and job training. We believe we have to intervene in the lives of our young people, divert them away from negative behavior to a very, very positive one. We've included drug and alcohol counseling in six homeless shelters. Again, we see about one-third of our homeless population are those who are caught up on drug and alcohol abuse.

Finally, a dialogue has begun with local clergy to obtain their assistance in providing referral and counseling to youth and families.

The issue then becomes, what resources ought to be used to implement these programs? Some local funds have been diverted to address the need. However, in no way are they sufficient and the Anti-Drug Abuse Act of 1986 has not been totally responsive to our needs.

I have four or five specific recommendations and I will conclude with those.

One, raise the $250 million authorized national level for the State and local law enforcement grants to $500 million, and appropriate the full $500 million for fiscal year 1990.

Two, require that cities and counties or city-county combinations of 250,000 of more population receive a specific allocation from the State block based upon a formula that includes criminal justice expenditures and drug arrests.

Three, amend the 1988 Act to require that a city or county within a regional or metropolitan multistate area, which can demonstrate that it has a minimum of 50 percent of that area's drug problem, be eligible for a specific and direct federal discretionary grant award as a "high intensive zone" city. The award should be a minimum of $1 million.

Fourth, amend the 1988 Act to eliminate the 50 percent local match requirement for State block subgrants. The fiscal picture in our cities and counties cannot support such a stringent matching requirement. In order to get the most out of these Federal dollars, the matching requirements should be eliminated.

And finally, amend the 1988 Act to require that State block funds be awarded within six months of the Federal appropriation, usually October 1. The experience with both the 1986 and 1988

Acts has been that most of the grants are awarded some 12 to 15 months after the beginning of the Federal fiscal year appropriation.

We need to get the money in hand. This war that we're involved in cannot wait 12 to 15 months after the fiscal year starts before receiving those dollars. We need the dollars as quickly as possible after the fiscal year starts so that we can put those dollars to work in preserving our community.

The signs of our times signal that the most fearful destruction of this country will not come from armies across the seas. It will not come from across the borders. It will come from the physical and mental deterioration from within. The destruction of our children, of our families, of our homes, of our neighborhoods and yes, of our very future: all due to this drug epidemic that we have.

We're losing an entire generation. Unless there is a more tangible commitment from the Federal Government, unless there is adequate funding to needed areas, unless there is sufficient military force to stop drug importation, unless there is more commitment, far beyond verbal slogans, we will face even more difficult days in the future.

Mr. Chairman, I submit to you that we have the means to win the war on drugs. We have the commitment of our communities. Every single week we have people out in the streets in our city marching against drug lords in those blocks, in those homes, having all night vigils, having all night barbecues on street corners, sending a very, very clear message. Our neighborhood people want their blocks back, want their neighborhoods back and we need a real, viable, national policy on drugs that will work with us to make sure that we can indeed go out there and fight this war in our streets and be able to win.

We thank you and your Committee again for your leadership. We thank you for having us back here. I'm sure that if we keep working together, we can see a continued decrease in this problem that is taking its toll among all the mayors around this country.

Thank you very much.

Chairman RANGEL. Thank you for your very forceful testimony.

[Statement of Mayor Goode appears on p. 105.]

Chairman RANGEL. James Moran, the Mayor of Alexandria. Good to see you again, Mr. Mayor.

Mayor MORAN. Good to see you, Mr. Chairman.

TESTIMONY OF JAMES P. MORAN, JR., MAYOR OF THE CITY OF ALEXANDRIA, VA

Mayor MORAN. I'm going to repeat some of the things that we discussed on the day that we spent between Alexandria and the District of Columbia.

I'm here representing the National League of Cities and I want to associate myself completely with the remarks of Mayors Whitmire and Goode. We're in complete agreement here. I don't think there's an issue that you'll find such consistent unanimity of opinion between the mayors of our cities and towns.

Two weeks ago, as Chairman for Human Development Policy of the National League of Cities, I chaired an innovations conference in Los Angeles where we had invited the cities that had been the most effective in dealing with drug abuse to come and show us what they had done. It was interesting that we didn't have a lot of publicity there. There wasn't a lot of guts and gore, but there was a lot of very strong commitment and determination to make a difference. We selected five of the most successful cities for awards.

The point I want to make is the tide is turning in many of our cities and towns and it's turning because of the grassroots effort and the local leadership primarily.

There are three things that were consistent among all of the cities that had been the most successful. One is that none of them consider themselves an island. They didn't try to change the situation just in their jurisdiction. They dealt with it on a metropolitan basis, a regionwide interjurisdictional policy basis. And that made a big difference. They couldn't keep drug dealers out of their neighborhood unless they were helping their neighboring jurisdiction do the same.

The second thing that they did was to make drug abuse their top priority, forcing the different branches of the government to break down bureaucratic barriers. They were all working together. They had to share information. They didn't have their own agendas.

The third thing, they dealt with the three aspects of the problem equally, prevention, treatment and enforcement. All three of them have to go hand in hand. You can't push in one area without seeing some deficiency in the other areas. So, they considered all three to be essential.

Now, let me talk a little about what we've done in Alexandria because we've tried to learn from the example of other cities. In 1987 we had five parts of the city that were really under the control of drug dealers in the evening. You could drive through them during the day, but you couldn't drive through in the evening without being solicited and you certainly couldn't walk the streets in the evening.

The first thing we did was to pull together all the neighborhood leaders. We asked them what they thought we ought to be doing. We let them establish the priorities for government expenditures. We made drug abuse our top priority and we told them that they were going to get our first attention.

We increased police to the point where we now have the most police per square mile and we're spending the most on police protection per capita of any jurisdiction in the area and in the Commonwealth of Virginia. We have an average of ten police per square mile. I never thought that I would get to the point where this was going to be our first area of emphasis, but it had to be. We had to make the streets secure before we could even move in any other priorities. That's made an enormous difference. It gives people a sense of security. If they see a police officer on the corner, they know if they yell they're going to be able to be in hearing distance of one.

We also told the police that they had a different agenda than the traditional way of doing police business. In essence, they were community facilitators. We tried to employ that neighborhood policing concept. We read about it in Professor Wilson's article in the Atlantic a few months ago. Chief Lee Brown in Houston is doing a terrific job of that. We learned from this movie that he and Mayor Whitmire had produced.

So, we told them what are the communities priorities. If the community feels that the first thing that has to be done is to get the junk automobiles out of the alleys, then that's what they have to work on. If the community feels that painting over the walls of businesses that are full of graffiti, that's what the police have to accomplish. The police spent a lot of time dealing with code enforcement, with the health inspectors. They are going to let the neighborhood determine how their time is best spent. It's amazing the impact that cleaning up a neighborhood makes in terms of crime deterrence.

And I want to emphasize that even though it varies a little from the traditional policing concept, our police are 100 percent behind it because they see the difference that it's making and the community feels as though they're in charge, that it's their neighborhood and it's up to them to turn it around.

One of those neighborhoods has turned around. Four of the neighborhoods haven't. There's a difference because four of the neighborhoods are public housing neighborhoods and those people still don't have a sense that they are in control of that neighborhood. I won't go into that, but it's a point that needs to be emphasized.

We built a homeless shelter with H.U.D.'s help and we told people that if you go into the homeless shelter, you have to be willing to also enroll in our detoxification treatment since we knew that about three out of four had some substance abuse problem. If you go into that program, we provide day care and we expedite employment training. We have housing relocation assistance available, but it's tough. We're not going to provide overnight shelter unless you're willing to get treated for the substance abuse problem. That's why you're in the homeless shelter.

The churches have to handle everybody else. We're putting a little funding into the other shelters but only about $100,000 because we feel that a lot of these people that are homeless have to be put into treatment and we're not going to fund programs where their condition is identical the next morning.

We trained citizens to report crimes. We told them what information to call when they call 911. Now we're getting volunteers from the neighborhood to man the phones so that when people call in, volunteers know what information to take down and they feel part of it. It's saving us a lot of money too. What it's doing is enabling police officers behind the desk to go out on the street.

We increased lighting in all of our neighborhoods. We repair every street bulb that gets broken and that's made a big difference.

But none of it was enough. In March we lost a police officer in a situation that never should have occurred a crack house in public housing where there had been five felony convictions already. We had never been able to move the person out. We knew that the woman on the lease for the house had a $700 a day coke habit. She was using her children as runners. But yet we couldn't do anything because she paid her rent on time. It was in public housing and we had no effective ability to evict people on the basis of criminal activity. We had to wait until they missed their rent payment.

So, after our police officer was killed, it became clear that the neighborhood wasn't going to tolerate anymore. They were asking for more vigilanteeism. They had invited the Muslims and we had the Guardian Angels in and they wanted to take matters into their own hands. We went to see Secretary Kemp and asked for a waiver to enable us to bypass this administrative procedure that took about a year before you could take anybody to court to get them evicted from publicly assisted housing. We got that waiver and we've now proceeded on evicting 18 people, 18 families.

We're going to be sued and some of these things we're probably going to need some congressional help on.

We have also asked Secretary Kemp to enable us to take away a Section 8 housing voucher if we evict somebody as a result of drug dealing. Up till now, you can't do it. Even when we're able to evict people for conviction of a felony, we can't take away their Section 8 voucher. They can take that voucher and go anyplace else they want because the rules don't include criminal activity as one of the reasons why you become ineligible for housing assistance.

So, last week we got a letter saying, "Go to it. Go ahead and take the voucher if you evict somebody," and they're going to support us and they're going to try to get support from the Congress. I think this kind of thing is necessary.

One of the reasons why all of our efforts were not adequate is that the criminal justice system is overburdened. It's inefficient. And, in fact, it doesn't punish the guilty consistently and protect the innocent. We weren't able to get people to come forward and give testimony against people that were running crack houses because the people who knew the most information were neighbors. They couldn't jeopardize their own lives and the lives of their families.

What we do now is to go in with controlled buys, undercover people, usually people from the neighborhood. If they go in with marked money and come out with drugs and without the money and they do it two or three times over a two or three week period, we consider that enough evidence and we then get a search warrant, we go in and execute the search warrant and if drugs and drug paraphernalia are there, we evict the family. None of that information is sufficient even for an arrest, never mind a conviction. We feel that it's only common sense to act on the basis of that kind of information and we've done so.

Enough for what we're doing. I want to mention some of the comments that we have on the Federal legislation.

I mentioned that we have a 300 percent increase in arrests as a result of stepped up police activity. Those are local resources that are being used to accomplish that. To do that, we have had to increase taxes. Now, in the Washington area, it just means that we cut the tax rate less because assessments are going up so, but we're still under tremendous heat because the bottom line taxes that people pay are substantially increased.

We think it's unfair for the Federal Government to say, "We will not raise taxes," all the read my lips stuff and so on. It's unfair to say the Federal Government won't raise taxes to address its number one priority and yet force local governments to raise the taxes to provide the resources that are necessary to deal with this problem. If it's going to be dealt with, it has to be dealt with at the local level. We need the resources that are necessary and we can't keep taxing our citizens in what is the most inefficient method of taxation, the property tax, in order to win this war.

So, we need more money, we need full funding of the Drug Control Bill, and we need more local flexibility. And we also think that to take the money to fund the Drug Bill out of other programs that are also essential to dealing with the symptoms that give rise to this drug abuse problem is a classic case of robbing Peter to pay Paul and is the wrong thing to do. If we wind up taking money from Head Start and Title I—they call it Chapter 1 now—and in other programs that are essential to the education and prevention and treatment effort, then we're not going to get any closer to our ultimate objective.

So, if the money is going to be offset, we want to work with the Congress and the White House to talk about what ought to be priorities and what we consider to be lesser priorities. We'd be very upset if we robbed Peter to pay Paul.

The other thing, there's a lot of problems with the actual administration of the program. President Bush said, "We want to work with states." What was his quote? "No Federal effort can succeed without full partnership of the cities and States." That's a terrific statement. We certainly agreed with the words, but we've got a lot of problems in the Administration. I'm going to go through them real quick and the statement is submitted for the record. So, if your staff people want to consult it, that's fine.

The availability of funds is too slow in getting out to the cities in order to respond. The turnaround time is insufficient. The turnaround time is too quick to prepare our proposals. Once the grant proposal is written and submitted, we have no assurance that we're going to be awarded the grant. Then, the paperwork nightmare that follows winning an award is mind boggling and it's often not worth the effort in terms of manpower expenditures. The cost of implementing, administering and documenting quarterly is very costly and you have to hire more people just to do that.

Now, very importantly, the grants so far are short-term awards. A lot of the problem, particularly with treatment, is that we don't have enough facilities. We've got to fund facilities if we're going to fund treatment and localities are not going to fund the cost of good treatment facilities unless we know that the funds are going to be continuous and consistent.

Right now in the Washington area, for example, every facility is full. Most of their Northern Virginia regional facilities are located in Alexandria. We were the only ones willing to take them and they're full. So, to get more treatment money without a guarantee that that money is going to be continuous, is not acceptable. We can't invest in more facilities and thus we don't need the treatment money. We have nothing to do with it other than to supplant the local money that is currently going into treatment.

I've talked too much. I know that. But I had a lot to say. Some of this is going to come out in questions, we hope. But the boot camp idea was mentioned. A lot of us old line '60s liberals are beginning to come around to this boot camp mentality. But we've got to be careful. In fact, we've got these people running for governor on the other ticket that are stressing boot camp as one of the real panaceas of the drug problem.

We're a relatively small city. We've just built a brand new jail. There are 333 beds and we've got 440 now in a year. We're taking all the Federal and State prisoners that they try to put in. But we're spending $600,000 a year just on medical and dental expenses. Now, imagine if we put people into a boot camp. The number of suits we're going to have over people hurting their leg and hurting other extremities and so on—and that's the way it was often times in the Army when you weren't in war—and that's the kind of thing we're going to be dealing with. You've got to think this out before you put people into boot camps because it's the locality that's going to wind up paying all these health costs and so on.

Now, before the Chairman gavels me to a close, we want to emphasize right now we're behind the eight ball on this. We need your help. We know that we're getting a lot of help from this Committee. We appreciate your asking us for our advice. We want to give all the advice and help we can. We think we can win this war, but it's going to take the combined efforts of people at all levels of government and every possible idea that can be entered into the discussion of the subject.

We're open to all your ideas, certainly to your financial assistance and we now welcome any questions. Thanks for your attention.

Chairman **Rangel**. Thank you for sharing your experiences with us, and you were eloquent on the question of increases in Federal taxes. It sounded like a speech I prepared for Vice President Mondale some years ago. I don't know whatever happened——

Mayor **Moran**. The good old days.

[Statement of Mayor Moran appears on p. 115.]

Chairman **Rangel**. Mayor Sue Myrick, the Mayor of Charlotte, North Carolina, we're glad that you're able to join us.

TESTIMONY OF SUE MYRICK, MAYOR OF THE CITY OF CHARLOTTE, NC

Mayor **Myrick**. Thank you, Mr. Chairman. I appreciate the opportunity.

Charlotte, North Carolina, like most other urban areas, is confronting what may be the most serious challenge we've ever faced, the war on illegal drugs and its tragic and costly consequences.

Charlotte has worked hard to develop a quality of life that has attracted new residents and industries from all over the country and has earned the city high rankings in a number of polls which measure the desirability of urban areas in terms of places to live and raise a family. However, that quality of life is threatened by the effect that illegal drug abuse is having upon our city and among the young people we look to as the future of our community.

The illegal drug abuse problem in Charlotte knows no boundaries in regard to age, sex, race, and economic status. Its most visible manifestation is in the predominantly black inner city neighborhoods, but the problem, and certainly its effects, are in our subdivisions, our schools, churches, and our work places. No one in Charlotte, regardless of whether he or she uses drugs, has been granted immunity from the consequences of their abuse.

Charlotte is taking a number of initiatives to combat the drug problem. Last night, City Council authorized 74 more police officers for our department. The department has added allocations to its Vice and Narcotics Bureau and has established street drug task force in its patrol district which have resulted in a 210 percent increase in drug arrests in the last eight years.

The police department has added a Crime Analyst to more accurately track the drug-related crime and an Assets Forfeiture Specialist to identify the assets a drug dealer has obtained through his criminal activities and develop the case so that the courts will seize the cash or property and award it to the investigating agency.

Police and the school system have implemented the DARE program in sixth grades in hopes of showing young people, at an impressionable age, that there are alternatives to drugs.

The county will be building a new jail soon.

The school system has hired a Substance Abuse Coordinator to develop educational programs and address the consequences of drugs in schools.

Civic groups, such as our Optimist Club, sponsor drug programs and our local Junior League sponsored a conference called "Charlotte Cares" to mobilize the community to fight the drug problem.

The police are currently working on several initiatives with our local clergy to more effectively use the church in generating the changes in values that are crucial to the success of any anti-drug initiatives.

I recently sponsored a Drug Symposium to bring together leaders from across the State to help develop a comprehensive plan to attack drug abuse in North Carolina's urban areas.

Yes, Charlotte is active in the war on drugs. Are our efforts working? We certainly hope so. But are they enough? Most assuredly not. We estimate that 80 percent of our crime is drug-related in some way. Our crime rate is growing much faster than our police resources. By making drugs our number one priority, we have had to divert resources from other crime problems that are also of concern to citizens. Our vice officers face sophisticated automatic weapons, fortified drug houses and drug dealers to whom human life is cheap. We ask them to keep the faith, face the risks and keep on going, while watching the people they've arrested walk out the other side of the revolving door that our criminal justice system has become. Most arrests ultimately accomplish little if there are not enough prosecutors to take the offenders to court, enough judges with adequate laws to give drug dealers the sentences they deserve, and enough prisons to house the offenders for longer than the bare minimum of their sentences.

I brought a news article that was on the front page of our local paper today that states an arrest was made of a local drug dealer, someone whom they've been after for a long time. They gave him a total of ten years and eight months in prison for dealing in cocaine and illegal food stamps and, if it holds true to form, he'll be out in less than two years. We're sending the drug dealer the message that crime does not pay and if, by change, you're apprehended, prosecuted, and sentenced, you won't waste much of your time in jail. The user is getting the message that the worst penalty he or she can expect from the criminal justice system is the inconvenience of an arrest and the amount of time it takes to post bond or be granted pre-trial release. Until all branches of the criminal justice system get the resources to make it work as a whole, enforcement will not be a significant deterrent to drug use or sales.

The schools confront equally difficult questions in the war on drugs. A fourth grader brings crack to school and claims he found it on the street in the public housing project where he lives. A fifteen-year-old girl brings quart jars of marijuana to school and she says she's giving it away because her older sister is going out of the drug business. A young boy comes to school and tells the teacher his parents are using drugs. Someone tries to intervene on the young boy's behalf and he returns to school the next day beaten black and blue. An inner city teenager wants to know why he should work at McDonald's for $3.35 an hour when he can make a previously undreamed amount of money running drugs. How do our schools confront these issues and still have the time and resources to teach young people the skills and knowledge they need to become productive members of society?

Charlotte also lacks adequate treatment programs and after-care for the people who desperately need them. There are some good private programs, but they're quite costly and, in many cases, they have lengthy waiting lists. There are few, if any, programs for people who cannot afford to pay, and for adolescents whose future is dependent upon the appropriate help. There are not enough resources for court mandated treatment and programs for the offender who is incarcerated. I believe in stiff penalties for drug dealers and those offenders who commit crime after crime to support their drug habits. However, the criminal justice system has ultimately failed both the offender and his victim if that offender gets out of prison and goes right back to his old habits with perhaps an additional grudge against society to spur him on. We must develop treatment programs for offenders, otherwise, the criminal justice system will remain a revolving door.

What does all of this cost? Our community really doesn't have an accurate measure of what it's costing us to fight this war on drugs. We can't measure the cash expenditures. We also can't measure the cost to crime victims whose lives and homes have been left in a shambles due to drug abuse. We can't measure the costs of lost productivity and accidents in the work place and the many ways these costs are passed onto the consumer. We can't measure the long-range costs to the community of losing a significant number of our young people to drugs. We certainly can't measure the cost of the emotional and mental anguish of our citizens, especially the elderly, who live in inner city neighborhoods and who are afraid to walk out of their houses and literally sleep in their closets at night, because they've seen their old neighborhoods become battlegrounds for competing drug dealers.

Charlotte still believes the war on drugs is worth fighting and it can be won, but we have no illusions that our good intentions and limited resources are enough to wage the battle. Fighting drugs must be a joint venture of Federal, State, and local governments.

The drug problem knows no jurisdictional boundaries and neither should the sharing of resources. The crack being seized in Charlotte isn't made there. It comes from other States and other countries. Drug pushers and users are highly mobile. They move from one location to the other and pose a threat to all communities. I don't feel Charlotte is confessing irresponsibility when we ask for help from the Federal Government. We're doing our part. However, we're limited and our resources are already stretched from making up for cuts in Federal funds in other critical areas such as housing and mass transit. In many cases, programs that have been cut impact upon the conditions that help breed the drug abuse, lack of employment opportunities, transportation, child care, and available and affordable public housing.

We need your help and we would accept it as an investment in Charlotte's future. There are several specific measures that we desperately need. They've already been mentioned, but I want to repeat.

Repeal Section 6077 of the Anti-Drug Abuse Act of 1988, effective October 1, 1989, that no longer allows Federal assets forfeiture statutes to supercede State laws. If this becomes law, our local and State law enforcement agencies, whose officers risk their lives to bring drug dealers to justice, will lose the funds that have been used to supplement their budgets and provide better equipment and training to combat the drugs. This will be a blow both to our budget and to the morale of our dedicated officers. I urge you to repeal this law prior to October 1.

Provide adequate funding for the provisions of the Anti-Drug Abuse Act of 1988. The intent of the Act is good and has the potential to make a genuine impact on our drug problem but if funds aren't made available, the law will become empty words and empty promises.

Consider using abandoned military facilities and other Federal property as prison facilities. We must get drug dealers off the street. They take lives and dreams and until we remove them as a threat to society, they'll continue to scoff at our efforts to fight drugs. I believe in very stiff penalties. I think it's time for us to stop worrying about providing country club amenities to the criminals. It's a war. Why don't we use wartime methods? If we have to go to barbed wire fences and pens, let's consider it because they need to be removed from the streets of our cities.

Try experimental programs such as boot camps for first time drug offenders as proposed by Secretary Bennett. But we need to develop realistic ways of evaluating whether they make a genuine different in the life of the offender. If a young person comes out of the boot camp with nothing more than a hardened attitude, we've accomplished nothing. First time and youthful offenders need discipline, tempered with compassion, treatment, and development of the skills that will make them productive and self-assured members of society.

We need to develop more Federal grant programs for anti-drug initiatives in enforcement, education, and treatment, provide funds to local government and streamline the administrative process that accompanies the grants. Previously, funds were available through Justice Assistance grants as well as Drug Control grants. But now that the two programs have been combined, there are decreased grant funds and more competition for fewer grants. Those jurisdictions fortunate to receive funds often experience delays in actually receiving the money, and encounter a maze of paperwork in monitoring the grant and making even the smallest change in the original concept or the budget of the grant. The system leaves little room for a developing program to build on its successes and correct its failures.

More grant funding should also be available for grants lasting longer than two years. Winning the war on drugs is a long-term effort made up of small successes. The development of a successful anti-drug initiative through grant funding is a step forward. Reducing or eliminating the program two or three years later when grant funds are withdrawn is a step backwards.

Establish more research grants that develop drug treatment programs. Since treatment must be geared to varying segments of the population and a growing variety of drugs, it's imperative we develop programs that have a high probability of success. It's also imperative that better evaluation criteria be developed so that funds for treatment programs can be expended on programs with a documented success rate.

The Federal Government must reevaluate its foreign policy decisions in regard to those countries which are major sources of illegal drugs and must impose sanctions against those countries, such as denial of foreign aid, in order to curb illegal drug exports to our country.

These and other measures as outlined by the U.S. Conference of Mayors in their national anti-drug strategy would have a major impact in the war on drugs. All of our resources are limited and governments at the Federal, State, and local level face daily decisions on what our priorities must be. I do know that illegal drugs are robbing our nation of our most valuable resource, our people. Drugs take lives, do irreparable damage to the character, the imagination and the will of the people who give our country its strength and vitality. If we don't invest our resources in the war on drugs today, tomorrow will be much more uncertain for our communities and our young people.

I don't think turf or whose money is being used are the issues in the war on drugs. This is everyone's war. We've already lost the battle, we just aren't facing it. The issue is that we can't afford not to fight and we certainly can't afford not to win.

And I thank you for the opportunity to be here.

Chairman Rangel. Thank you for your testimony.

[Statement of Mayor Myrick appears on p. 133.]

Chairman Rangel. We are joined here by Mr. Gilman, Congressman Shays and Congressman Paxon.

We want to thank all of you mayors for taking the time—I know we always say in politics from your very busy days, but when you're mayor, we know that that is just not a term—and sharing with us on a one-to-one basis exactly what your problems are.

Also, your specific recommendations. We want you to know that they will be referred to the Standing Committees and we are working on some of those that you've mentioned, Ms. Myrick, especially those specifics as relates to the forfeiture statutes and trying to correct those. That's why this Committee is more or less representative of the Legislative Committees, so that we just don't listen, so that we can respond.

I was a little surprised at the sense of outrage that some of you had that your Federal Government was not doing all we could. After all, we had declared war. I thought you heard that and it hasn't been too long ago that the President spoke to both the House and the Senate and declared war again and went further and said that he hoped to remove the drug scourge from the face of our country.

Now, sometimes what happens in Washington is that we are so close to the forest that we don't really see the trees in all of the things our government is doing. So, let me ask, since we're trying to determine what our Federal policy is in this war.

We have an outstanding Secretary of Education. I have not heard him speak in terms of what his office is proposing or doing to help to educate kids in order to prevent them from becoming victims. On the other hand, there are regional offices of the Secretary that work more closely with the mayors and the cities. Could you tell me whether you can feel a policy or a strategy flowing from this Secretary of Education that has some impact on your school systems?

Mayor MYRICK. Not yet.

Mayor MORAN. No. It would help particularly in the elementary school grades where if we had some basic curricula for starting a drug abuse prevention program——

Chairman RANGEL. But you don't see the Federal——

Mayor MORAN. None.

Chairman RANGEL. Well, we have an outstanding Secretary of Health and Human Services. I think that his record at Morehouse and throughout the nation is very well known. Yet, I have not heard one word from him as to his strategy or policy as to what the Federal Government should be doing as relates to treatment and helping local and State government get this treatment. Now, I spend a lot of time in Washington. Could you tell me whether the regional Health and Human Services offices out there are showing you how to save these families, to get treatment for your people in this war? Has anyone had any experience or heard of any policy strategy?

Mayor GOODE. There is none. There is none that impact upon the cities.

Chairman RANGEL. Well, I haven't heard it in the nation except for Mr. Bennett in the District of Columbia.

Let me ask about the Attorney General. The President is working on a crime package and he stood on the Capitol steps, our steps, and announced his package as related to jails and the criminal justice system. So, I'm wondering whether the Attorney General's offices have talked with you about the number of prosecutors you have, the judges, the criminal justice systems, the alternatives to jail, what they will be doing in working with you in this war. I haven't heard from our Attorney General. I thought that maybe on the local level they're working with the mayors with their strategy and policy. None of you testified as to this.

Well, let's see now. With the H.U.D., which is Housing and Urban Development—I almost forgot, but that's what it was about—my friend, Congressman Jack Kemp, has proposed some initiatives that would call for more swift eviction for those who violate our narcotic laws.

Tell me, have you seen the local H.U.D. people in your cities working with you to create the jobs, to create the low income housing, to create the environment that would allow the kids to stay in school and not fall prey to the drug traffickers in the street? Have you seen the national presence there to assist you in your work as mayors?

Mayor **Myrick**. That's the only area where we've had a little help on our local level, is from H.U.D. and, as Mr. Moran said, in some of the eviction changes that we've been allowed to make and in some of the grant money that we're receiving through Community Block Grant. But no increase. There's nothing——

Chairman **Rangel**. I mentioned that as relates to the evictions. I'm talking about economic development and job creation. Do you find that H.U.D. is working with you to create the jobs and provide the training? That's what the U.D., Urban Development, had been for so long.

Mayor **Moran**. We have had contact from H.U.D. personnel and they said they were planning on requesting funds to improve the neighborhoods, to give people a greater sense of pride and self respect in the neighborhoods. But they didn't think they were going to be successful within the OMB.

Chairman **Rangel**. Well, some of you were very critical as to what we were doing in foreign policy. I must admit I've been busy with tax issues. Have any of you seen or heard anything from the Secretary of State as relates to what our foreign policy is in connection with drugs? I may have missed some of the Sunday programs. Do you know what our foreign policy is in Central and South America as relates to drugs, in Burma, Thailand, Mexico?

I know that you are on the front line and I don't want you leaving Washington not knowing that we have declared war.

How about the Office of Management and Budget? Have you monitored that to see whether or not OMB has any priorities concerning this war as we normally do when we have an enemy that is clearly identifiable? Have you heard or have you received any statements from the Office of Management and Budget as relates to the priority that your issues are receiving?

No?

Well, we have declared war and I don't think any of you can deny that. But it seems as though we have a lot more work to do rather than just on the eve of elections. You can bet your life that we're getting close to ending this honeymoon. I wait with great anticipation for Mr. Bennett's report of the strategy. I just wonder whether anybody will be around to implement it.

Let me yield at this time to Mr. Coughlin.

Mr. **Coughlin**. Thank you, Mr. Chairman. Obviously I do not totally share the Chairman's viewpoint as to the Administration's effort in the war on drugs. As I indicated in my opening statement, we are doing more than we have ever done from the Federal level.

I would just like to get your input on a couple of specifics that are of particular interest to me.

In the last Administration, the United States Department of Education produced a series of audiovisual aids for distribution to our nations schools—a set for elementary, a set for secondary and a set for high schools. They have been distributed to each and every school district in your cities.

First, I would like to know if you have received any reports from your schools with respect to the usefulness of these audiovisual aids. Second, one of the difficulties you have with federally produced programs, including this audiovisual program, is that they are necessarily targeted to a general national audience. We need very badly a set of audiovisual aids or other educational material that targets the inner city areas.

So, I guess I'd appreciate the comments of each one of you on whether your schhols have used these aids, whether you think they are effective and how we could develop a better educational effort targeted to inner city young people.

Mayor WHITMIRE. Mr. Coughlin, within the City of Houston, we have 23 independent school districts. We have been in contact with all of our school districts and have called upon them to see that anti—drug education is included in every level of the public school system beginning in kindergarten. I think they are making progress in accomplishing that goal and I would speak specifically about the Houston Independent School District which has almost 200,000 students and has implemented drug education programs, including the use of the federally prepared program that you had indicated.

But what I wanted to report to you from the school district is that with funds from the 1986 and 1988 Anti-Drug Act, they have acquired some drug counselors within the school systems and they have advised me that while they are working hard on the educational program and they are using the federally prepared materials, that the most serious need is for additional counselors who can work individually with the troubled students in the schools and for agencies to whom they can refer those children for intensive rehabilitation and treatment.

Mr. COUGHLIN. I'm interested in your response to my specific question. The U.S. Department of Education has produced a very specific set of audiovisual aids and they have been distributed to every single school district in the country. What is your experience as to the use of these aids? Are they being used and, if so, to what extent, if you know?

Mayor WHITMIRE. The report that I receive is that they are being used, but that they need to be supplemented.

Mayor GOODE. Mr. Coughlin, they are in fact being used in Philadelphia. I will be very glad to send to the Chair of this Committee an evaluation of those for your use. I do not have an up-to-date account, but at one point a few months ago, I was told that they were pretty effective in being utilized throughout the school system.

Mr. COUGHLIN. Do you have any thoughts as to how we can, from a Federal level, produce educational programs that are targeted to inner city young people?

Mayor GOODE. Well, yes, I have some thoughts. I think that there's nothing more critical than to intervene in the lives of young people at a very, very early age, starting at the time they enter preschool and going through about to sixth grade and to make sure that we, in every way that we can, put into their minds and their souls and their body the fact that the use of drugs, that the sale of drugs is something which is not going to do anything but lead them to an early death or to jail.

Now, how you do that is not something I'm prepared to outline today. But I can say to you that unless something is done that will, at this critical point in our history, say to our young people that this illegal sale and use of drugs is something which is absolutely taboo, should not be done under any circumstances, we're headed for a tremendous problem in the future.

Mr. COUGHLIN. Let me just ask Mayor Moran and Mayor Myrick to comment too, if they might.

Mayor MORAN. Well, I think what you're hearing is that what we're getting is being used and is relatively effective. But it's certainly insufficient.

What Mayor Whitmire mentioned about counselors needs to be underscored. Just last week, a young sibling of two brothers that had been shot came into class and he was banging his head against the brick wall. None of the teachers or principal knew what it was all about except the students finally found out it was because two of his brothers had been shot in a drug deal.

We need counselors in the school system. Things like the Cities in Schools concept has proven pretty effective. There are good ideas out there, but we don't have the money to implement them. We know we needed a counselor to deal with children like this and yet we don't have the resources to afford counselors in the schools.

Mayor MYRICK. In our area, I'm not directly responsible for the schools, so I can't specifically answer that question as to the use of the Federal programs. I can get you the answer and I will.

Mr. COUGHLIN. I just want to thank my mayor, Mayor Goode, for being here. I know the efforts he's making in the City of Philadelphia and congratulate him.

I've known Mayor Whitmire for a number of years now and certainly admire her activities in Houston. Mayor Moran and Mayor Myrick, we very much appreciate your taking your time to come here today.

Let me yield to other members.

Chairman RANGEL. I know you have to leave, Mayor Goode. So, if you have any comment to make before you leave, we want to thank you for rearranging your schedule.

Mayor GOODE. I apologize for having to leave, but the City Council is voting on my budget today and if I'm going to have a city to run for the next 12 months, I need to get back to Philadelphia. But to show you how important this issue was, even on a day when there's a final passage of the budget for the City of Philadelphia for the next fiscal year, I felt it important to come here and join with these other mayors and tell you how severe this problem is and how critical I think all of our collective actions should be in solving it as quickly as possible.

Thank you for your leadership. Thank you very much.

Mr. GILMAN. Mr. Chairman, before the Mayor leaves, would I be able to direct a question to him?

Chairman RANGEL. Well, he has the problem, not me.

Mayor GOODE. Yes, I will take one question.

Mr. GILMAN. Well, Mayor Goode, one of the problems that's been bothering me is the amount of funds that's been appropriated and not allocated to the various cities. It's gone through to the States, but hasn't reached the cities. Have you made applications to the State that's been denied or hasn't been fulfilled from 1987 through the present time? A good chunk of the money has already gone from the Federal Government through to the State.

Mayor GOODE. We've gotten money from the State. We understand how the system works, we get our applications in on time, and we've gotten a share of those dollars. The flow of dollars to the locale has been slow. I mentioned in my testimony that 12 to 15 months after the start of the fiscal year we start to receive money. Three to four months would help us a great deal if we had that.

Secondly, we believe that the formula by which those dollars are distributed ought to be changed.

Mr. GILMAN. Is that a State problem, the formula and distributions problem that you're mentioning?

Mayor GOODE. It is a Federal problem, in my view, because I think you ought to write into the Federal law how the dollars are to be distributed. Of course, there is perhaps some discretion. But we believe that if Philadelphia, for example, in the Commonwealth of Pennsylvania has the larger part of the problem, then there ought to be some way to recognize that problem and not have us caught up in every single borough and township and town around the Commonwealth receiving a portion of those dollars when there may not be even a severe drug problem. If, in fact, these dollars are to be used to fight the war on drugs, then the money needs to go where the problem is.

Mr. GILMAN. I see from our figures that in 1987 you got about $2.2 million and $1.8 million in 1988.

Mayor GOODE. That's correct.

Mr. GILMAN. And that's Federal funding.

Mayor GOODE. Yes.

Mr. GILMAN. Are there some application grants that you've made that you have not received in Philadelphia?

Mayor GOODE. Not that I'm aware of.

Mr. GILMAN. So every grant application you've made, you've received?

Mayor GOODE. Every grant application that we've made we've received? I'm not going to be that absolute. But I know that in terms of the dollars that we submitted for the 1986 and 1988 Act, we have, in fact, received the money.

Mr. GILMAN. I also note that Pennsylvania was allocated in the Federal program some $14 million and of which $5 million had been disbursed. Are you aware of why those funds that have been awarded to Pennsylvania, that only $5 million out of $14 million have been disbursed?

Mayor GOODE. No, but if you would do what I recommended and send the money to the City, we'll spend those dollars, I guarantee you. We will not have a similar problem if the money came directly to us.

Mr. GILMAN. Well, isn't there some relationship between the State and local government that could work out a better disbursement of the funding?

Mayor GOODE. The same as there is between the State and the Federal Government, sir.

Mr. GILMAN. Well, I would hope that someone would take a look at how the States are disbursing because we're trying to make an appropriate effort in getting sufficient funding to the States. I think it's then the State's responsibility to make certain that funding goes to the cities that need the funding within that State.

Mayor GOODE. Mr. Gilman, I will not agree that the problem that we face is simply one of the slowness by which the States send money to the locale. The problem, I think, is one of inadequate resources to fight this war coming from the Federal Government, through the State, to the local government.

Mr. GILMAN. Mayor, we recognize the need. What I'm saying is, we've allocated—one of the big arguments that we're receiving in the Congress is that there's a great amount of money unobligated and therefore we shouldn't be putting more money into the pipeline if the States aren't properly using those funds. Then, looking at Pennsylvania's award, I see $14 million that's been obligated over '87, '88, and '89 and only some $5 million that has been actually disbursed. That leaves a question mark in many of our colleagues' minds.

When this Committee appeals to our colleagues for more funding, how do we answer the question about the unobligated funds that are sitting there in the pipeline?

Mayor GOODE. We believe the money ought to flow directly from the Federal Government to the cities where the problem is. We do not believe that the States and the governors around this country fully feel the impact of this problem as we do who are out there every single day on the front line dealing with this problem daily and seeing the full impact of drugs. I will guarantee you this: Every single cent that I can find, from whatever source, we will spend to fight this war on drugs because we need every cent that we can find to fight this war on drugs.

Mr. GILMAN. Well, I would hope that you might take another look at the State government because you say you've been receiving awards for every application that you've made. You've been receiving an award. You might take a look and find out what's happened to that $9 million sitting in the State treasury with regard to the funds that have been allocated to Pennsylvania for anti-drug efforts.

Mayor GOODE. The problem, sir, is one of formula. If we can find a way that more of those dollars can flow to where the problem is, I think that we might spend those dollars. Thank you very much.

Mr. GILMAN. We will certainly welcome your constructive ideas. Thank you, Mayor.

Chairman RANGEL. Mr. Gilman, I've been advised by staff that the sheet you're reading from does not properly reflect money that has not been used. In many cases, those funds are obligated. I've checked with staff while you were making your inquiry. If you're reading from this document here, the amount that is shown as not being spent does not mean that amount has not been obligated or even spent by local governments but that local governments have not yet put in requests for Federal reimbursement for those funds.

Mr. GILMAN. The figures that I'm reading from are entitled, "Drug Awards and Disbursements for 10/1/86 through 5/1/89":

> The disbursements represent actual funds requested from the Federal Treasury by the States. States use different methods to provide actual funds to their subgrantees. Most States reimburse reported expenditures. Therefore, disbursement from the Federal Government will necessarily be significantly less than actual expenditures.

Chairman RANGEL. Well, I've been advised by staff that the fact that an award has been made and there's a disparity in the disbursement does not mean that the local government did not spend the full amount of the award and is not waiting for the Federal Government to reimburse them for what they have spent.

Mr. GILMAN. The chart I'm reading from is from the Bureau of Justice Assistance. I assume that when they say the awards are made and then it lists what is disbursed, that indicates actually what has gone out.

Chairman RANGEL. That's what's gone out but not what has been requested that go out in order to make the full award. I'm reading from the document dated May 25, 1989.

But anyway, let me yield to Congressman Fauntroy.

Mr. FAUNTROY. Thank you, Mr. Chairman. I have a point of inquiry, quite frankly, first. Is it not possible for the national drug policy director to hold hearings like this of mayors and judges and local district attorneys who have to deal with this problem at the ground level?

Chairman RANGEL. Congressman, I cannot answer your question.

Mr. FAUNTROY. The reason I raise the question is that we've been hearing of the drug director's travels all over the country and discussions with State officials and the like. It seems to me that he would benefit and his staff would benefit from this kind of hearing, from people who have to implement these programs at the ground level.

Chairman RANGEL. Well, the drug director has been very busy and he has a lot of outstanding media requests.

Mr. FAUNTROY. The thing that's most frustrating to me is that if I were on the administration side of this—if I were on the implementation side of this with respect to the Federal Government—I would not have benefited a great deal, in fact I'd be angry about the fact that, as these mayors have complained, it takes 12 to 15 months to get funds already allocated by the Federal Government authorized to be spent into the pipeline.

Chairman RANGEL. The drug director is very angry, but he's angry at you people in the District of Columbia.

Mr. FAUNTROY. On that count, I certainly want to express my appreciation to each of the mayors, and particularly to Mayor Goode who, in his statement—and I want to read it into the record—says:

> Some people would have us believe that the problem is isolated to Washington, D.C., that it is unique to a majority black population city, and that it is severe only in the underbelly of our nation's capital.

> This type of propaganda, this type of misinformation and stereotyping is dangerous. It is an attempt to portray a national, indeed an international problem as merely local. It is an attempt to relegate a social problem to a mere problem of a race. The problem that we face is global in scope. The locations may vary, the numbers may vary, but the problem is the same.
>
> It spans from Washington, D.C. to Washington State, from Philadelphia, Pennsylvania to Philadelphia, Mississippi. Its infecting arms reaches from Colombia, South America to Columbia, South Carolina.

So, I am very pleased that this panel has documented for the American people what a serious problem we have, how it is destroying the very fabric of our local communities, forcing us to commit at the local level many funds that ought to be committed to education, housing, and job training and development for this area.

I hope that the people who have viewed this—and we ourselves—will pass on the specifics of this testimony to the drug czar and ask that he have his people read it and hopefully save a little money by not traveling around the country, ask that he call expert people like this to Washington, pay for their coming and then allow them to educate those of us who must implement policy at the national level as to what problems they have at the local level.

In that regard, let me just raise a couple of questions. There are just so many questions that have been answered. I have been complaining about the fact that we authorized $2.8 billion last year and only a billion dollars of it has been appropriated. And I now know that mayors who must work where the rubber hits the road have to wait 15 months to get money put in the pipeline by the Congress over a year ago. So it's very distressing.

Let me ask any of the mayors, what has been your role in the application process, and how could this program be improved?

Mayor WHITMIRE. Mr. Fauntroy, I think that we are in general agreement that one of the most important changes that needs to be made to improve the program is to provide the dollars directly from the Federal Government to the local government. And our reasoning is that the most serious need for resources to fight the war on drugs is in the major urban centers of this country.

But by the time you allocate the funds to the State and the State government then feels the need to distribute them all over the state, it takes not only time to get it to the local level, but the major urban centers don't receive as significant a portion of the funds as the need represents that they should.

Our situation in Texas is perhaps a little different than the one we heard about in Philadelphia. We received in that initial round of funding something like $9 million to serve the entire State of Texas. Mr. Fauntroy, three of the nation's ten largest cities are located in Texas and they all have very significant drug problems.

But by the time that $9 million, even supplemented with some State funds, was distributed all over the State and down in the border towns and in the smaller communities, very little of it was put directly to fight the war on drugs in our major cities. The funds are too small and they're not targeted clearly enough.

Mr. FAUNTROY. I've been certainly impressed with the allocation formulas that you recommended and the fact that you strongly recommend that these grants be made directly to the cities that most need them, and I certainly appreciate that.

The second question, and one which has troubled me, is the fact that the American people generally don't understand how much of a corrupting threat the cartels are to our law enforcement officials. We as a committee were in the Yucatan Peninsula nations and in the Caribbean and learned there of the extent to which the drug cartel personnel are boldly saying, "we offer you silver or lead."

We've had testimony here that some of the drug couriers coming into the country come armed with $100,000.00 cash in pocket so that if they are arrested by an agent or a State official, they can say "Well, you've got me and $100,000.00 cash. Now you can turn both of us in, or keep the cash and let me catch a plane and get out of here."

To what extent is there evidence that drug—related corruption is creeping into our criminal justice system in your communities? I know it's sensitive, but it's real.

Mayor WHITMIRE. None of us are anxious to talk about that issue, because it's one on which I think we all have strong feelings and we've all worked very hard to maintain the kind of professionalism within our law enforcement agencies that we know is needed. We believe that we have effective measures at the local level to root out corruption and it is terribly important that we maintain the local authority to do that.

Mr. FAUNTROY. And I thank you.

My time has expired, Mr. Chairman.

Chairman RANGEL. We've been joined by Congressman Herger and Congresswoman Lowey.

Mr. GILMAN. Thank you, Mr. Chairman.

First of all, I want to commend you for arranging this hearing, bringing the mayors.

And I want to thank the mayors for being present and to recommend that our local police and justice administration people take a good look at where we're going with the funding.

I've been concerned with one of the major arguments on the floor the past few weeks, the floor of the House, with regard to supplemental appropriations. There's an extensive amount of unobligated funds out there. Funds have been obligated, appropriated by the Federal Government, gone out to the States that have not been obligated by the State governments.

I've read with a great deal of interest comments that several of the mayors have made and your presentation from the Conference of Mayors with regard to the failings of the system, of the funding going through the State block grant program and not getting down to local government.

And what I'd like to ask each of you is how much funding did you actually apply for in '87, '88, and '89, and how much did you actually receive from the Federal Government. I'd welcome it if each of you could respond to that. And I address that to the entire panel. How much did you apply for in '87? How much did you receive in '87 through the State Federal funding, and in '88 and '89?

Mayor MORAN. My grants people are back in the office working on Federal paperwork, so they're not able to be here at the hearing, Mr. Gilman.

I think it needs to be emphasized, however, that we are not going to spend money at the local level unless we know that that money is going to continue and that the formula is going to be consistent from year to year. We can't afford to obligate ourselves for a new facility or a new program and then turn around and find the Federal Government taking away the money.

Mr. **Gilman**. If I might interrupt, Mayor Moran, I understand that. But what I'm asking is what did you actually apply for and what did you receive?

Mayor **Moran**. I don't have those numbers, because our grants people are too busy.

Mr. **Gilman**. Could you submit that to us following the hearing?

Mayor **Moran**. I'd be happy to.

[The information referred to was not available at time of printing.]

Mr. **Gilman**. Mr. Chairman, I ask that it be made part of the hearing. That's for '87, '88, and '89.

Mayor?

Mayor **Whitmire**. Mr. Gilman, in '87 we applied for $770,000.00. We ultimately received $200,000.00. Those funds were made available to us in the spring of '88. The original grant awards from the '87 round were not distributed to anyone in Texas until early '88. So we did finally receive $200,000.00 in '88, and we are scheduled to receive another $140,000.00 this year, '89, based on another application for over $700,000.00.

Next year, the grant applications are now being taken for the next round of funds, and we are applying for about a million dollars.

Mr. **Gilman**. So you've received, then, about $300,000.00? Is that it so far?

Mayor **Whitmire**. That's correct.

Mr. **Gilman**. And have you been denied any application?

Mayor **Whitmire**. Yes, sir. We applied for over $700,000.00 each time, so we've applied for around a million and a half dollars up to now and we've received a little over $300,000.00. Yes, we have definitely been denied the funds and we do not feel that the priority is being placed on the serious drug problem in our inner cities in the major urban centers in Texas.

Mr. **Gilman**. And that was denied from the State government?

Mayor **Whitmire**. That's correct.

Mr. **Gilman**. My chart of this Bureau of Justice Administration shows that there was $19 million awarded to the State of Texas in '87, '88, and '89, and only some $9 million that had been disbursed.

Mayor **Whitmire**. I think the problem, as I hear you recite these figures, is that you have included the '89 dollars, which our State tells us have not yet been received by them and will not be until this fall.

Mr. **Gilman**. Well, my chart shows it's $5.7 million or $6.7 million that has been awarded for the State of Texas for '89, but none has been disbursed.

Mayor **Whitmire**. Their position is that they have not yet received it and it is not yet available for distribution and will not be until this fall. If that is incorrect, I'd love to find that out while I'm here today so that I can go back to the State capital tomorrow and let them know they have money and they need to give it out.

Mr. Gilman. Well, in like manner, I wish you would find out and let our Committee know.

Mayor Whitmire. All right, I'll certainly do that.

[The information referred to was not available at time of printing.]

Mr. Gilman. And Mr. Chairman, again I'd like to ask that that be made part of the record.

Mayor Myrick, if you could, tell us what happened in North Carolina.

Mayor Myrick. I don't have the figure of what we applied for. I will get it back to you. We received $156,000.00 over three years. That is what the total amount of grants come to.

Mr. Gilman. All right. And again, my chart shows, and some of these figures are hard to read, but it looks like about $8.4 million has been awarded over '87 through '89 and only about $3.4 million has been disbursed. So, again, I would ask you to make appropriate inquiries and find out why there's been a delay in disbursing those funds.

Mayor Myrick. Definitely.

Mr. Gilman. Have you been denied any applications that you've made?

Mayor Myrick. There again, unfortunately I didn't bring all those statistics with me. But I will get back to you and let you know.

Mr. Gilman. And again, Mr. Chairman, I ask that that information be made part of that record at this point in the record.

[This information was not received at time of printing.]

I think what we're finding is that the block grant money is going out to the States but there's a considerable amount of delay in getting those funds from State government down to local government. We recognize how important the funding is, but I would hope you'd take another look at it. I appreciate these suggestions, constructive suggestions you made about trying to expedite that funding. But please bear in mind that we at the Federal level are trying to get the funds out. We're now being confronted with the argument that there is a great amount of money in the pipeline that's unobligated. Therefore, why should we be putting more money into the pipeline when those funds are not being properly utilized at this time?

Thank you, Mr. Chairman.

Chairman Rangel. Mr. Coughlin has agreed to join with me in writing the Senate Judiciary Committee to see whether they would review the amendment we had in the House bill that would allow mayors access to the Federal funds if the State did not respond within a short time frame.

Mr. Shays.

Mr. Shays. Thank you, Mr. Chairman.

I'd like to thank you all for being here. The general message that I'm getting from you is that things are absolutely terrible out there, that you're doing the best you can, that you need lots of help and you don't feel you are getting that help, either from your States or Washington.

But I just have to ask you, because I've heard a lot of sarcasm today, are any of you under the illusion that it's just the Administration's fault? Do you think that somehow Congress has done a wonderful job to help you? Do you think we've worked well together and we've fully funded all the money we have authorized?

I'd like to ask each of you, are you pleased with what Congress is doing for you?

Mayor WHITMIRE. Mr. Shays, obviously, we were pleased that the drug bill passed. I have to say, however, that my city and the Conference of Mayors lobbied hard for this direct funding to cities which was not included by Congress and that's one of the reasons that we are here today asking you to reconsider that point and try to provide these dollars directly to the cities where they're needed.

Mr. SHAYS. That's helpful. So, one of your points if you wish Congress had put the money directly to local communities.

Mayor WHITMIRE. And fully funded it.

Mr. SHAYS. Right, and fully fund it. I think it's important to say that. I read in the newspaper what this great bill we authorized does. Then, when I see what we funded, it's just practically a quarter of it. I'm on the Chairman's bill to provide full funding and I salute the Chairman to want to fully fund the drug bill. Clearly, he is frustrated with the Administration, but he has to be equally frustrated that he's not able to convince a majority of his colleagues to do what he wants to do, which I agree needs to be done.

Would you comment, Mayor?

Mayor MYRICK. I agree with Mayor Whitmire's comments relative to that. But you know, I think the main thing that we've all got to realize is that this war doesn't have partisan boundaries and it doesn't have age, sex, race boundaries. It doesn't have jurisdictional boundaries. It's everybody's problem, the city's problem, the community's problem and our government's problem on all levels. It's time that we stopped letting partisan politics get in the way and go ahead and say it's a problem, we're going to join hands.

You know, when the Japanese bombed Pearl Harbor, look what happened, everybody came together. This war is every bit as severe as what we were fighting back then. It's just totally different and it's going on over a longer period of time.

Mr. SHAYS. Well, I find your comments refreshing because I sit here and I listen to this and I think I'm a Republican working with my Democrats on a common problem and it seems to me it is not a partisan issue. I would have found it very refreshing if the comments you all made to start out with had laid it on the line, "Executive Branch, you're not doing your job. Congress, you're not doing your job either and we want you to do your job just like we want the Executive Branch to."

Let me ask you this. Secretary Bennett was appointed earlier this year. Congress told him he's to come up with a plan by September. Do you think it's illogical for me as a Congressman to want to give him the chance to come up with a plan? Should I say, "You don't have your plan now. Why aren't we doing something?' Isn't it logical that we would give him that amount of time to prepare his plan?"

Mayor MORAN. But how is he preparing that plan? We would hope that he would prepare that plan in concert with the leaders of our cities and towns, at the local level with local police chiefs, not in isolation out of the Old Executive Office Building.

The Metropolitan Washington Council of Governments urged, insisted, that we have some meeting with Secretary Bennett to see if we couldn't use the Washington region as a model region for coordination and to try some of his ideas out first to see if they would work here. We had 45 minutes and it was a structured 45 minutes, not one minute more. We got our basic dog and pony show. Now, the people that were in the room were very sincere and wanted to be helpful, but there really wasn't a lot of sincere exchange.

We are getting more dialogue from the Congress than we are from the Administration on this. The first thing that the Administration seems to have in mind is the financial impediments. We want to be assured that what plan comes out is something that we can conform to our needs at the local level. That's our main concern.

Mayor WHITMIRE. Mr. Shays, I would agree with you that we should allow Secretary Bennett to prepare his plan by September, as he has been asked to do. He did come and meet with the Conference of Mayors back in February. I know that he and his staff have been in touch with my police chief and other police chiefs on several occasions and we have provided input to them.

I'm not ready to rule out the value of Secretary Bennett's plan when I haven't even seen it. In fact, I'm very hopeful that it's going to include some of the recommendations that we have made. So, I would agree with you that we ought to allow him to prepare his plan.

On the other hand, I would also agree that Congress ought to be reviewing the legislation that is in place and the issues that we've brought to you today because I think Congress has an equally important role in this issue.

Mr. SHAYS. One of the challenges for our Committee is to begin to better coordinate all the various groups that are involved. But when you think about it, even the Banking Committee gets involved when we talk about the exporting of the billions of dollars.

One of the things I find most obscene about this whole issue is we look at small Third World countries. We say, "You're destroying us because you're exporting all these drugs," and then I look and I say, "My God, we're exporting the billions of dollars that are buying these drugs." Somehow we don't want to look at our own selves.

My time is expiring, but let me just make this point to you. I have total sympathy and I represent an urban area. The problems primarily are in the urban areas, though they're everywhere. But they're primarily in our urban areas. It seems to me that you talk about a Washington, D.C. emphasis. I felt when I looked at what was happening in D.C., we were looking at D.C. and saying, "My God, this is a direct involvement of the Federal Government. We don't have State passthroughs. If we can't make Washington safe, how the hell are we going to make the rest of the country safe."

So, I didn't look critically at what was happening. I thought that this was a good first step. It seems to me rather than being critical of what's happening in Washington, we should say, "Yes, this is a good first step and it begins here but, damn it, it doesn't end here."

Thank you, Mr. Chairman.

Chairman RANGEL. Mr. Herger.

Mr. **Herger**. Thank you, Mr. Chairman. I want to thank you for calling this hearing. I want to thank our mayors for coming here and sharing with us their views. I particularly want to thank and agree with the comments made by Congressman Shays. ~~I~~ think it is essentially and a problem which—I don't think there's anyone in our nation who would not admit is not only of incredible size and magnitude, but is one that is not going to be a simple one to solve. It's one that is going to take literally all of us working together, both Republicans, Democrats, conservatives, liberals, our entire nation, all nationalities, former nationalities, creeds, in order to solve.

I also want to mention I'm probably one of the few members of this Committee that is not from an urban district. I represent a very rural district in Northern California, a district where my largest town is some 35,000 in population, one that is approximately 280 miles long. I just want to mention for all the members of our Committee that this drug problem is not just a big city problem. It is a problem, I can tell you, in all of my—I represent some 12 rural counties. It is a county where every police chief I speak to, every administrator of every rural school I speak to, that this is a major problem that is attacking us at every level in every size community within our nation, regrettably so.

We need to have a program that not only just gets the money to where the problem is, to the cities, but one that we do not forget about our rural areas in the process.

So often people do look to us in Washington to come up with the answers. It would be nice if somehow we had a magic wand, that we had a crystal ball, that we would know what the answers are, had the resources available to solve them. Regrettably, neither of those two situations is the case here in Washington.

I'm always interested in what those of you that are out on the front lines as you are, as mayors, are there any areas that you can see any rays of hope, any light at the end of the tunnel, in certain programs that you've been working with where you can see perhaps is an area that we could be spending more resources, devoting more resources, spending more of our time, that you see particularly as an area we should be working with as far as us, as we do come up, both Mr. Bennett and the Congress and this Committee to come up formulating a bipartisan, national type of program to deal with this great problem we have in drugs and narcotics?

Mayor **Whitmire**. In our community, we've organized what we call Houston Crackdown, which is our communitywide umbrella approach to tackling the drug problem, which includes all three of the approaches that Mayor Moran mentioned, the enforcement, treatment, and education.

But in terms of the components within that that I think have applicability across the country, I think our neighborhood organizations to combat street-level drug trafficking in the neighborhoods probably has the most nationwide applicability and I think it is something that Congress should look at very critically as we have asked Secretary Bennett to look at it very critically.

The effort to bring together within a specific drug affected neighborhood, the leadership of that neighborhood, the civic club leaders, the educators within the schools, the business people, the church leaders, and put them together with the police department, the other local government officials and organize a neighborhood crackdown. We have had some success in reclaiming some neighborhoods, reclaiming local parks that had been infested with drug dealers, getting rid of abandoned apartments where drugs were being dealt and rehabilitating those neighborhoods because of that community effort.

I believe that in our nation's cities, that's going to be one of the best efforts and I think it's one that may also be applicable to the smaller communities in a district such as yours. So, I would recommend that as one of the approaches that ought to be looked at carefully by the Congress.

The other issue that I would commend for your attention is the issue of drug treatment and rehabilitation. We have seen some programs operating through nonprofit agencies at the local level to provide rehabilitation, counseling and reentry into the work force for drug abusers. It is my belief that a high priority for Congress should be to direct research dollars into finding those effective drug treatment programs and finding the cost effective means to take people out of the drug cycle and put them back in the mainstream of society.

Mayor MYRICK. We were doing the same thing in Charlotte that Mayor Whitmire mentioned. The one thing I would like to say is again targeting those dollars toward those programs. We had just recently tried to apply for some grant monies that I had learned were available for a program called P.A.L. It's Police Athletic League whereby the police officers work with the young people at a very early age in athletic events and it establishes that one-on-one relationship so they come to know them as a friend and not an enemy. But we were told that because it was a preventive type of a program, it did not qualify for the Federal funds.

Well, again, if you can loosen the guidelines so programs like that would be applicable, then it would save so many dollars in the long run because those are lives you're saving ahead of time instead of after the fact and paying for them in prisons. So, some loosening of the guidelines within that grant and giving the local communities an option to be able to say where they feel they should go would be very helpful.

Mayor MORAN. I certainly agree with what Mayor Myrick and Mayor Whitmire has suggested. All of those are good things and we are attempting them and I think most of the communities across the country are.

One of the things that has had the most salutary affect in our city is our eviction program because the possibility of your family getting evicted from assisted housing is a much more worrisome threat than the possibility of being arrested, which is no big deal. Once you're arrested, unless it's the 10th or 11th time, you're probably not even going to serve much time at all. The more sophisticated a dealer you are, the better the lawyer you're going to have.

So, the possibility of eviction is a real threat and it's one that's making some difference. We are being serious about it and it's important that we be serious and follow through.

But we're now finding that, thanks to Federal regulations, it may not have any teeth in it because our social workers tell us that the Federal Social Security Act requires, under protective services, that we put those families right back into assisted housing with the same services. Once a child is without shelter we are under obligation to keep the family together, the parents with the children to the maximum extent possible. And since they've declared their income to be below eligibility levels, we have to put them right back into publicly assisted housing after we evict them. We're not doing that, but we're going to be sued for not resheltering them.

Now, we've asked the Federal Government to give us some leeway here. It doesn't make any sense to evict a family where there's a drug dealer that's a member of that family and then not to be able to deny housing assistance to that family subsequently. That's something that the Federal Government could help us with and it doesn't cost anything. But that's the type of thing we would like to have the opportunity to discuss with people at the Federal level.

Mr. HERGER. Thank you.

Chairman RANGEL. We've been joined by Congressman Scheuer of New York who is an outstanding author and expert in criminology, as well as Subcommittee Chairman of Education for the Joint Economic Committee and a former candidate for mayor of the City of New York.

You may inquire.

Mr. SCHEUER. Mr. Chairman, I regret that I was held up at another hearing. I wasn't here for the testimony of the witnesses. I'm delighted to see the two very distinguished lady mayors of significant American cities. I think that in itself is a cause for self-congratulation. Our society is evolving.

I don't have any questions because I didn't hear the testimony. Thank you, Mr. Chairman.

Chairman RANGEL. Well, we all thank you and we will have an ongoing dialogue with the League and the Conference and we hope that you would feel free to notify our staff when whatever little we're doing is not working properly.

Mr. Coughlin?

Mr. COUGHLIN. I just wanted to ask one specific question of Mayor Myrick.

You suggested in your testimony the repeal of Section 6077 of the Anti-Drug Abuse Act of '88. And you suggest in your testimony that it no longer allows Federal asset forfeiture statutes to supercede State laws. I would think that's what you would want. Why do you want that repealed?

Mayor MYRICK. So we have at a local level the right to do what we—to be able to use the program.

Mr. COUGHLIN. That's exactly what I thought this did.

Mayor MYRICK. Maybe I said it backward.

Mr. COUGHLIN. I thought we permitted the asset forfeiture laws at the State level to supercede the Federal law so you could have the assets available for——

Mayor MYRICK. I may have said it backwards when I said it, but I'm not sure with my testimony.

Mayor WHITMIRE. I think we're indicating to you some problems that we have in our State governments sometimes that prohibit cities from getting money directly. I believe that's what Mayor Myrick is referring to.

Mr. COUGHLIN. We were trying to enable you to do that.

Mayor MYRICK. The State constitution says the money goes to the school system instead of being used for the police work.

Mr. COUGHLIN. Thank you. I'm informed by staff we may have goofed and we will look at it. Thank you.

Mr. SCHEUER. Mr. Chairman?

Chairman RANGEL. Mr. Scheuer?

Mr. SCHEUER. I just have a brief question. There are many of us that feel that the balance of the funding and effort and program concentration in this country is too much skewed to law enforcement, particularly at the international and national level where it doesn't seem to be working and holds forth little promise of working and not enough by far is done at the local level in terms of treatment, rehabilitation and, above all, drug education.

It seems to many of us that if we have learned anything out of the last 15 or 20 years of experience that I've served on the Select Committee on Narcotics, it is that we've got to stop this obsessive concern with affecting supply that doesn't seem to work and get down to the hard business of reducing demand, by changing behavior. We've done it in a lot of areas of society, in alcoholism, in diet, and exercise and tobacco and that we ought to concentrate on the hard business of changing human behavior on drugs, reducing demand. To many of us, that's really the only answer.

I don't want to put words in your mouth, but I'd like you, as experts from the local community point of view to just give us your thoughts on what you would do if you had a bundle of money dropped from heaven. How would you spend it in your community or would you tell the feds to take it away and try and do a better job of interdiction at our borders or eradication overseas on the poppy fields or wherever?

Mayor WHITMIRE. Mr. Scheuer, it would be a mistake for any of us to tell you at this point that too much is being spent on law enforcement and it ought to be diverted somewhere else since we have all been here all morning advocating for more money to be spent on law enforcement.

But let me agree with you that a balanced approach is needed. There probably needs to be an equal level of effort on the three components, treatment, education and prevention, and enforcement. I think that the area that probably is in the greatest need of funding right now is in the treatment area. That's something that we find to be a very difficult need to meet. We find that adequate research has not yet been done to identify the most cost effective means of treatment and that for people who do not have funds to pay, treatment is often not available at all. So that's a very serious side of the equation.

But on the enforcement side, I want to reiterate that in our communities we have to have a stronger enforcement effort to clean up the street——

Mr. SCHEUER. You're talking about local law enforcement.

Mayor WHITMIRE. To clean up the street level drug dealing that is destroying our neighborhoods.

Mr. SCHEUER. One can only sympathize with that.

Mayor **Myrick**. I really can't add anything to that.

Mayor **Moran**. I'd like to add a couple things. Certainly you have to work from both perspectives, supply and demand, because if supply becomes more plentiful, drugs become more affordable.

Mr. **Scheuer**. Well now, wait a minute. Supply is totally available. There isn't a town and hamlet in this country that doesn't have freely available drugs and drugs have become more affordable. The supply of drugs into our country is available, freely available at a cheaper price and in greater purity than ever before.

Mayor **Moran**. I agree and that is part of the problem and it can't be ignored. But on the demand side, I do think that money going into law enforcement is more effectively spent if it goes down to the local level. As many of us have suggested, we're redefining the role of the police officer. They're supposed to work with the community. They're supposed to improve that neighborhood and make it uninviting to drug dealers. So, the police officer's role has expanded greatly to much more than the traditional arrest function. If we had an unlimited amount of money, I'd like to see it put into two areas. One, neighborhood improvement, into our ability to clean up neighborhoods to make them the kind of neighborhoods people want to live in and will invest in and stay in.

And secondly, into early childhood development, with a strong substance abuse curricula. We want to give children an opportunity to start off equally so by the time they get into the primary grades they're competitive and they don't give up on themselves and decide, "The only way I'm ever going to be able to be somebody is to sell drugs." That's going to make a difference and that's where I'd like to see that money go.

Mr. **Scheuer**. Now I'd like to put words in your mouth. Don't let me if you don't agree with me, but I think you will. Would you say, along with me, that perhaps the greatest single thing we can do to prevent a kid from falling into the scourge of drugs would be the expansion of the Head Start program and like preschool development programs to encompass every young child at risk of education failure? At the present time, Head Start takes care of 16 percent, about one-sixth or seventh of the kids who are at education risk, the three- and four-year-olds. Under the bill that we just passed, it would go up to about 19 percent. But we're leaving 81 or 82 percent of all of those kids at risk to almost predictable education failure, with all of the consequences of that failure that you know.

Would you say that a key element in reducing demand is to produce success and that a key element of that is giving every kid an equal chance for education success when he hits the school house door at age 5 to 6 and that sure availability of an enriched preschool experience is perhaps as great an insurance as we can devise against that kid failing and falling prey to drugs?

Mayor **Moran**. Well, you know I'm going to agree with you in the long run. And as a criteria for admission, if you require the involvement of parents.

Mr. **Scheuer**. I totally agree.

Mayor **Moran**. That you only participate if the parents are involved. But sure, in the long run.

Mr. **Scheuer**. I totally agree.

Mayor Moran. Yes. But, can we really write off the generation of their older siblings and the generation of their parents? We can't and that's what Mayor Whitmire is suggesting.

Mr. Scheuer. Of course not.

Mayor Moran. We can't just begin at three years of age and forget the rest of them.

Mr. Scheuer. You can't do that only, exclusively. I totally agree with everything you've said.

Mr. Chairman, with your indulgence, one last question.

Is there anything that you have learned in your local communities about drug education programs that really work and drug education programs that really don't seem to have much effect?

Mayor Whitmire. I want to say just a word about the DARE Program which we use in our elementary schools now. I heard Mayor Myrick say that they also use the DARE Program which is provided to those students at 5th grade in our community, who are just getting ready to go into middle school. It's an educational program conducted by our police department within the school system.

We are expecting to expand it this next year to double the size of the program so that it will cover 110 elementary schools because we believe it's been very, very effective. But 110 is still only a fraction of the elementary schools in my community. I would like to see that program covering every elementary school in the United States.

Mayor Myrick. The same in Charlotte. We also have had success with DARE and that's the one thing that we've been able to track. But we don't have enough officers to provide the program in every school and I would like to see it started at a younger grade instead of waiting until the 5th and 6th because the drug problem in our city is down lower than that.

Mayor Moran. I completely agree with both my colleagues. As part of our effort to let the community leaders give us direction, we turned to the kids in the school system. In fact, in one junior high, 78 percent of the children said that if we could do anything, they would want us to have workshops on drug and alcohol addiction with parents, for parents. That has been one of the most effective things, is to get the kids sitting down with the parents and get the parents into the room. The kids knew that that's what had to be done. But we don't have the resources for the professional staff to meet in the evenings and hours when they're accessible. But that kind of drug education, getting the parents to work with the students, has been invaluable.

Mr. Scheuer. Well, this is a great panel. Thank you very much and thank you, Mr. Chairman.

Chairman Rangel. We want to thank you once again for the contribution that you've made and we look forward to continuously working with you. We'll get this war out of Washington yet.

Mayor Myrick. Thank you.

Mayor Moran. Thank you.

Chairman Rangel. The next panel is the criminal justice system representatives.

The first witness is Robert Morgenthau, the District Attorney from my New York County, former United States Attorney for the

Southern District of New York that I had the great honor to work with in the early '60s.

Fred B. Ugast, the Chief Judge of the Superior Court of the District of Columbia.

George Wilson, Director of the Ohio Department of Rehabilitation and Correction.

Warren Woodfork, Superintendent of the New Orleans Police Department.

As with the previous panel, we would like to maximize the opportunity for the members of the committee to ask questions. So, in that spirit, your entire testimony will be entered into the record without objection and you can testify highlighting the testimony or other issues that you think should concern us on the Select Narcotics Committee.

We'll start off with our New York County District Attorney, Bob Morgenthau.

Thank all of you for taking the time to share your views with us. It's sincerely appreciated.

TESTIMONY OF ROBERT MORGENTHAU, DISTRICT ATTORNEY, NEW YORK COUNTY

Mr. **Morgenthau**. Thank you, Mr. Chairman and members of the Committee. I greatly appreciate being invited here. This could not be a more timely occasion to review the drug situation in the United States.

The news from New York City on the drug war is this: the enemy's troops and supplies are ever increasing. Let me give you one recent example.

Last month, the New York City Police Department arrested 18 dealers on one block in Upper Broadway in New York City who were selling drugs in wholesale quantities. They were selling not to users but to dealers. With a little baking soda and a hot plate, these retailers could buy crack for $600.00 an ounce and turn it into 350 vials of crack which sold for $5.00 and make a 300 percent profit. Armed with a search warrant, the police went into a local tobacco store and seized 500,000 vials ready to be filled with crack.

The existence of such an open air bazaar tells volumes about the drug problem in New York City and I think in every urban area and some suburban areas in this country. Cocaine in crack form is cheap and powerfully addictive. It has contributed to soaring homicide rates, dramatic increases in child abuse, skyrocketing hospital costs for drug addicted babies, unprecedented homelessness and untold human misery.

Let me give you some specific statistics from New York City. Last year there were 1915 homicides. Almost half were drug-related. There were 200 homicides in public housing projects last year, a 65 percent single year increase and a 300 percent increase since 1985. As I was coming down today, I saw that there were four more homicides in a housing project in your district Mr. Chairman, yesterday.

Burglary arrests have been on a four year decline, but turned around with the advent of crack and they're going straight up. Robberies are going straight up.

Crack has also had a dramatic increase in child abuse and neglect. Last year there were 55,000 reports of suspected child abuse, an 18 percent increase from the previous year, and so on. Studies show that in nearly three-quarters of the child abuse cases, one or both parents are drug abusers. That's not surprising. Child care requires constant attention and infinite patience and a crack addict is capable of neither.

We're also seeing a staggering increase in children born showing addiction to cocaine. A recent survey in Bronx-Lebanon Hospital showed that 27 percent of the women in labor tested positive for cocaine. These babies are dangerously underweight and many are malformed and prone to a condition known as physical rigidity. One case at Harlem's Hale House was so severe that if the baby's hand was extended, it remained in that position. Some have what's called "prune belly syndrome", a deformity of the genitals and kidney system.

A recent Florida study shows that the immense cost of these cocaine addicted children problem. The State of Florida will spend $700 million for health care, social services and special education to prepare 17,500 cocaine exposed infants born in 1987 for kindergarten in 1992. These statistics make it clear that drugs are not a victimless crime. Too often the victim is a child.

Drugs are also connected to homelessness. Recent studies show that there are approximately 80,000 homeless people in New York, a 15 percent increase from last year. Experts candidly acknowledge that substance abuse is a prime cause of the increase. It is, in one expert's phrase, "the nasty little secret of homelessness."

Related to all of these ills is the pernicious fact that close to 50 percent of all crack users now are women. Crack is eroding the already fragile family structure in the inner city. Social workers report that over 70 percent of the children they see are being raised by grandparents or other relatives, their parents having abandoned them for drugs.

Prostitution has increased as women sell their bodies to feed their habits. The number of syphilis cases, which had remained stable since 1959, increased 115 percent last year and health experts report that crack has become a significant factor in the transmission of AIDS through the promiscuous sexual activity that is commonplace in crack houses.

In short, drugs are the very core of virtually every problem that plagues society—crime, child abuse, homelessness, AIDS To borrow a phrase from a recent full-page New York Times editorial, crack is "to the '80s and '90s what the Great Depression was to the '30s or the Vietnam War was to the '60s and '70s." For the sake of our future, we must recognize that reality and act now.

Let me tell you how we responded in a law enforcement capacity in New York City. The Police Department has expanded its narcotics unit from 531 officers in 1984 to 1609 officers in 1989. The police have established these tactical narcotic teams which go into neighborhoods and concentrate on making undercover buys from sellers.

I am confident that there has never been a five-year period of local law enforcement activity that rivals the past five years. New York City narcotic indictments, that's felony cases, have increased 247 percent, from 6,000 in 1984 to 21,000 in 1988. During the same period, the number of drug dealers sentenced to State prison has increased from 1376 in 1984 to 5,026 in 1988 and almost double that number were sent to city jails. So, 14,000 people from New York City went to prison or jail in 1988. That compares to a total of 385 drug dealers who went to Federal prison from the Southern District of New York, which includes 11 counties.

Manhattan indictments in the first four months of this year show a 56 percent increase over last year.

Crime has made its presence felt in the criminal court which handles misdemeanors. The number of possession cases are up by 56 percent.

What is the Federal Government doing? In two words, not enough. It is failing in its constitutional responsibility to ensure domestic tranquility.

To date, the Administration has advanced only one concrete plan for drug law enforcement and that's a drug assistance program for Washington, D.C. That plan, which was announced with much fanfare is woefully short on substance. In fact, it would be laughable if the problem were not so serious. The plan adds 11 drug enforcement agents to fight drug trafficking in a city which had 13,000 drug arrests last year and 220 homicides. Those agents are going to be very busy indeed.

The plan also calls for five intelligence analysts from the Department of Defense. Surely it does not require a Department of Defense analyst to find drug dealing within two blocks of the Capitol. It also calls for 25 F.B.I. personnel, but on closer examination, the F.B.I. personnel are technicians. Now, laboratory support is essential to enforcement, but these are not the front-line troops that are needed if Washington is to regain control of its streets.

The sad irony of this is that a year from now when drug dealing in the Capitol remains rampant, critics will say that the law enforcement effort was tried and failed. But I say to you there was no serious Federal commitment to the District of Columbia.

The President has also called for resources for a so-called comprehensive plan to combat violent crime. While the plan has its strength, it has one glaring weakness, it fails to appreciate that the rise in violent crime is but a symptom of the drug problem. The plan would not add a single agent to the Drug Enforcement Administration. That means that we will continue to have only 2,845 drug enforcement agents, the lead Federal agency, for the entire United States and overseas. Just to say that number, 2,845, shows that the Federal Government is not serious about fighting the war on drugs.

Moreover, at a time when the Congress has appropriated only $961 million of the $2.8 billion authorized by the Anti-Drug Act of 1988, one wonders where is the $1.2 billion going to come from to fund this new plan?

To focus resources on guns and ignore drugs, as the Administration proposes, is to miss the mark. Guns have become part of the uniform of drug dealers. Just last week, a citizen called the police department to report finding an Uzi submachine gun in his garbage can. Until we rid our streets of drug dealers, guns are going to be part of the urban landscape.

What is also distressing about the President's plan is its call, once again, for the "restoration of an enforceable death penalty."

Whatever one's philosophical view on the death penalty, one thing is undeniable: the death penalty will do nothing to stem the drug epidemic. Touting the death penalty as a panacea may be good politics, but it is bad law enforcement. It promises protracted litigation when what is needed is swift and certain punishment.

Just last week I read that a Federal court in Illinois had held the Illinois death penalty statute unconstitutional with 118 people on death row. It distracts attention from the pressing need to provide more police and prosecutors, more judges and jails. In short, it is cheap rhetoric at a time when the criminal justice system needs real resources if it is going to guarantee public safety.

Also, misguided is the recent suggestion of Director Bennett to establish "boot camps" for those arrested for first-time drug use. Now, we don't have the resources to put first-time sellers in jail, let alone putting first-time users. Now, I believe in prosecuting users and we do that and I said our prosecutions are up by 56 percent, but to talk about devoting scarce resources to boot camps for drug users when we can't put the drug dealers in jail I think is a misplacement of priorities.

What should the Federal Government be doing? In short, far more. Last February when I had the opportunity of speaking before the Foreign Relations Committee, I said that the drug problem had to go to the top of the foreign policy agenda, and I don't want to take your time by going into that now. But I think we've got to recognize that we've got to do something about supply and it's got to be the top of the foreign policy agenda.

Second, there must be a serious commitment of resources to State and local government for expanded law enforcement, treatment and education. Almost every expert now agrees that expanded local law enforcement is an essential ingredient of an effective drug policy. In the short run, it may be the only viable policy. Yet, since 1987, Federal funds for State and local narcotics enforcement have been significantly reduced, 38 percent in New York State

If the drug scourge is to stop, we will need Federal help. I urge the Congress to appropriate $500 million a year for the next five years to State and local governments for narcotic law enforcement. Such a five-year plan would mean a marked increase in spending for drug enforcement grants which have fallen from $225 million in 1987 to $150 million this year. But that would only be a tiny fraction of the $160 billion that have been earmarked to bail out the savings and loan industry.

This year, the grants program have taken on a new name. The Edward Byrne Memorial State and Local Law Enforcement Assistance Program, after the New York City police officer who was murdered while protecting a witness to drug dealing. Next year, let us honor Eddie Byrne and all heroic police officers by committing the resources to the program that States and localities so desperately need.

Finally, now is the time for a national commitment to the education of our children, especially those in the inner cities. My concern extends well beyond drug education. In New York City, the dropout rate is 32 percent. We cannot permit that to continue. Our schools must educate and instill moral values and they must provide hope and opportunity. For as long as there are legions of young people disaffected from society, there will be a ready supply of drug dealers and a ready market for their product.

I was interested to hear the testimony from the Mayor of Charlotte, North Carolina because last year the New York City Police Athletic League, of which I'm the President, set up a play street on the block adjacent to where Officer Byrne was killed. It has become a small symbol for the community of a brighter future. Where drugs were once sold openly, children now read books, play ball and do crafts under close supervision. I am not so naive as to think that play streets will solve the drug problem. But getting a child hooked on books or on sports is a first step to keeping him from being hooked on crack as he grows in adulthood. A national commitment to improved eduction will be expensive, but it promises to pay dividends.

And I might tell Congressman Scheuer that P.A.L. runs seven Head Start programs.

In sum, there are no easy solutions to the drug problem and no cheap ones. But the choice is clear, either we pay now for effective law enforcement treatment and education or we pay far more in future years to cope with the destruction that illegal drugs cause. It is time, in fact it is past time, for a bipartisan, national mobilization. Only that will succeed and I hope that these hearings will lead to that kind of effort.

Chairman RANGEL. Thank you, District Attorney Morgenthau, for your thoughtful testimony.

[Statement of Mr. Morgenthau appears on p. 143.]

Chairman RANGEL. Chief Judge Ugast of the Superior Court of the District of Columbia, we're deeply appreciative that you've taken time to share your views with us. You may proceed.

TESTIMONY OF FRED B. UGAST, CHIEF JUDGE, SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Judge UGAST. Thank you, Mr. Chairman and members of the Committee.

I'm pleased to be here today to describe just briefly for you the impact of drug abuse and drug-related crime and drug-related violence on our criminal justice system here in the District of Columbia.

First, let me just set the stage by giving you a little background about our court setup here in the District. The Superior Court is a unified trial court. It is the only local trial court for the city. There is also the United States District Court, which is the Federal court.

By virtue of this single unified court system with responsibility for all litigation in the city of local matters and the hybrid Federal local law enforcement system, I think presents in a very dramatic way the situation generally found throughout the country, particularly in major urban court systems because, in some places the felony courts and misdemeanor courts are separated from some of the other aspects of litigation that have been affected.

More specifically, our trial court, as I say, is the only local trial court for local matters. We have five divisions, a civil division, a criminal division, a family division, probate, and tax. In the criminal side, for example, we handle serious traffic offenses as well as murder in the first degree.

On the civil side, we have a small claims court with a $2,000 cap and a landlord and tenant court as well as all civil litigation, including major malpractice cases and fraud cases.

Then, in the family division, we handle all family matters, the juvenile delinquency matters, the child neglect and abuse matters, divorce matters, paternity, mental health, and the like.

Prosecution of criminal offenses in the District of Columbia is by the United States Attorney, except for city regulations of a minor type. The United States Marshal Service is responsible for the handling and transfer of prisoners, the service of process, the evictions and that type of obligation which is comparable to a sheriff's department responsibility in other jurisdictions.

Both the United States Attorneys Office and the Marshal Service, of course, are Federal agencies, involve Federal resources and are not part of my budget request and I have no standing before the particular committees for which the Department of Justice appears in connection with resources in that office.

I might say, the United States Attorney wears two hats in the sense that he may, in his discretion, initiate prosecutions, either in our court under local statutes, or in the Federal court under the Federal statutes.

Now, with this background, let me just quickly outline the impact of this drug epidemic on our court system. As I say, I believe it's representative.

Prior to any current drug enforcement programs, our court had been experiencing the results of drugs and drug-related crimes for a number of years, as far back as 1982.

For example, our nationally copied drug testing program for all adult arrestees began operation in 1984 with a grant from the National Institute of Justice and subsequently was taken over by the city in terms of appropriated funds and operated by the Pretrial Services Agency. That testing program revealed that while 51 percent of adult arrestees tested positive in 1984, 73 percent of the adults tested positive in 1988.

And the drug of choice has changed, as I'm sure it has in many places over the past five years from heroin and PCP to cocaine. Fourteen percent tested positive for cocaine in the summer of '84. Sixty-six tested positive for cocaine in 1988.

Our juvenile drug testing program, testing all juveniles who are arrested and brought through the court system, revealed 33 percent tested positive in 1988 and the drug of choice there among the younger juveniles has changed from marijuana and PCP also to cocaine. Cocaine was not found in any of the testing done of juveniles back in '84 and now 72 percent of the juveniles testing positive are testing positive for cocaine.

Felony indictments, as Mr. Morgenthau indicated, have more than tripled, from under 3100 in 1978 to 9700 in 1988. Juvenile petitions have increased from 4,000 in 1982 to 5,400 in 1988 with respect to petitions of juveniles charged with delinquent acts. And the crimes committed by the juveniles have increased tragically in their severity.

In our court, we have 51 active judges assigned to the court, authorized. In 1978, ten were assigned to the criminal felony calendars. Today there are 16 assigned just to felony calendars. In 1978 there were eight judges assigned to family. Today there are 12.

Now, what about the impact on the court? One-half of all the trial judges in the Superior Court are presently assigned to the Criminal Division of the Court, presiding over 16 felony calendars and 7 misdemeanor calendars. Nevertheless, with the tremendous increase in drug filings, approximately 7,000 drug felonies were charged last year, the size of the trial calendars have obviously substantially increased. This upsurge in filings impacts on all the divisions of the court and court-related agencies.

So, that's why I say I think this may be representative because right in the single court, the impact is seen on all parts of the court which might be effected with separate courts in other divisions. When I have to assign judges from the Civil Division, as I've had to do, to the Criminal Division to meet the rising workload, in essence I'm robbing Peter to pay Paul and the Civil Division litigation is substantially affected.

I've had to reduce the number of trial judges on the civil side so that the time for getting civil cases to trial, which is also my responsibility, is running 22 to 24 months from the case being at issue.

And in considering the needs of the Civil Division, there's also an impact from the drug epidemic in the sense that the number of seizure cases, of asset forfeiture cases—I understood there were some 10,000 cases that had not yet been initiated which represent funds that might be available to the city in terms of law enforcement. But they have not yet been filed because of resource problems in the corporation counsel's office which has that responsibility to bring and initiate the libel actions which must be heard in our Civil Division.

The Civil Division is also affected by the number of evictions because the landlord and tenant branch of the court would be responsible for processing that litigation. There were some 80,000 complaints filed in our landlord and tenant branch last year.

The Family Division is affected likewise. Probably one of the most tragic aspects and consequences of all of this is our young people and the involvement of the young people. The number of juvenile delinquency petitions have substantially increased. The number of juveniles testing positive has risen dramatically and I think of particular concern is the pattern we've seen developing, hopefully it won't continue, but a use of drugs among the young juvenile. Our drug testing reflected in 1987, nine percent of the 13-year-olds arrested tested positive for drug use. In 1988, 21 percent of the 13-year-olds tested positive. And in March of this year, 35 percent of the 13-year-olds tested positive.

Just as each of the divisions of the court have been affected, so has been an impact on the court-related agencies: the Pretrial Services Agency, responsible for making recommendations on conditions of release and handling the drug testing program; the Court Social Services Division responsible for 9,000 adults and 1,000 juveniles on probation; and the Department of Corrections with the tremendous overcrowding in the detention facilities.

And I might just say, on the family side, as I believe Mr. Morgenthau so noted, the number of child abuse cases, the number of neglect cases, the number of cases where we are having to detain juveniles that we ordinarily would send home has increased dramatically because the parents either say they can't control the child or the parents themselves are having some difficulties and couldn't take responsibility.

The impact is also seen on the cost of providing representation for indigent defendants and the need for additional prosecutors, which is Federal resources, and U.S. Marshals, which is Federal resources, is a necessary correlate.

Let me now just mention quickly some of our responses that we've had that might be followed in some places. But what's tried one place may not be just right for another and it has to be tailored to meet the needs of the particular jurisdiction.

But as I say, our drug testing program we have found tremendously helpful to the judges in setting conditions of release and making people be tested during the period of awaiting trial, while they're on pre-trial, and requiring them to go into treatment programs if they are available.

We've had grant applications pending for educational programs for juveniles who are being monitored while they're awaiting a hearing and are being tested. We also have applied for a program for the counseling of probationers while they're waiting to get into a drug program, but have been put on probation and trying to have our probation officers certified and trained so that they can at least give counseling to some of these people before they can get in a program.

We've set up some fast track calendars. We call them accelerated felony calendars, basically for career criminals, individuals with extensive prior records, to deal with the recidivist and with those placed on pretrial detention under the District of Columbia Pretrial Detention Statute.

Our Probation Department, Social Services, has a couple of new programs and a high intensity treatment program for juveniles which is really designed to help those juveniles with constant continuing contacts, as well as family counseling, having families involved, as was mentioned before, is being found to be of tremendous importance in working with the young people and involves juveniles that otherwise would be incarcerated. We also have an intensive probation supervision program with respect to adults, which requires contact by probation officers on a daily basis as well as monitoring from their home.

There are other programs that we here in other community designs. I had mentioned, I believe, in mine in reading about DARE, a program in the school. I believe at this point, although I'm not sure, there's only one school here in the city that has the program in operation.

So, although I would agree that each city has the responsibility of responding to its own emergency situation and trying to tailor programs and design programs to meet the particular need, I would submit—and what I've heard today I think is unanimous—that no city is capable of responding alone to the drug crisis we're all facing. We have to do everything we can with all the resources we can. But the Federal Government must share in funding a comprehensive and coordinated response. It might not always be money. It may be in designing the kind of programs that the Federal Government, with its research and resources, have been able to suggest have been effective or have great promise for being effective. But we need that.

I am deeply concerned, frankly, about some of the programs that we have on treatment, for example. Have they been evaluated to determine whether they are doing the job? We're in a new area. We're dealing with changing attitudes and with drugs that hadn't been treated before. I urged the National Institute of Mental Health and the National Institute on Drugs to look at that scientifically to see to it that these programs that we're pouring money into, which are basically counseling, that type of thing, are effective and are able to continue to give us promise that we should continue with them at least in the form they're being used.

Programs that work must be identified. Some of them you've heard this morning from the various cities, particular coalition efforts throughout neighborhoods, and funding for their applications provided and perhaps on a shared basis, including local, State, and Federal bodies.

Our situation is different since we are in essence a hybrid local, Federal city, our own local government, but Federal funding is part of our operation. I must go the Committees, both the House and the Senate, I've been to the Senate, with respect to appropriations for the court.

The solution to the drug problem, in my opinion, involves both a short-term and a long-term approach and requires, as everybody has suggested so far, a simultaneous attack on all sides of the problems. We need to address supply. We need to address demand and use. We need to work at treatment. We need to work at education. It may well be that the demand side needs to be looked at very closely.

I think initially in law enforcement, the distributor and the person selling it were viewed as clearly the individuals that should be targeted by law enforcement authorities very heavily. But I think, from what I've seen, having gone out into the neighborhoods in the city and particularly the problem we have here of the so-called open air drug market, that we need to address very strongly the user as well and to try to turn that demand off and slow it down.

We have a problem here right now of open air drug markets that have been flourishing and we have the problem of tremendous, terrible violence and the lack of a feeling of safety within the neighborhoods. That has to be addressed immediately on a short-term basis by law enforcement authorities. The efforts and the resources have begun to be put in place. Some of them involve certain requests, both to the Congress and to Mr. Bennett.

So, tough law enforcement, swift court hearings and trials with a certainty of sentencing of those that are found guilty. But at the same time, we must find effective programs, detoxification for crack users. The financial attraction of participating in illegal drug industry in this city must be eliminated because we've seen in the papers kids today in the career path that brings them to our courts at the age of 26 as entrepreneurs in the industry. We must somehow redirect the energies of these young people toward successful careers and fields that are not illegal and not immoral.

From a long-term standpoint, our efforts, in my view, need to be directed to our young people. I think that's where the future lies. Not that we write off anybody else, but if this situation of drug use and drug epidemic is going to be turned around in our country, it's got to be directed in a very, very special way towards our young people. That's the way the future lies. But it involves changing of attitudes. While law enforcement is the short-term answer to stop the violence in the open air drug markets, frankly we cannot arrest our way out of this epidemic. Unfortunately, it's frequently too late when these young people reach the court. Our resources at that point for doing something are more limited.

So, we need educational programs, we need treatment programs, and we need to develop efforts across the board in the schools, community groups and churches to stress again family values and ties. These are intangible. You know, it sounds like talking about apple pie and motherhood. But I honestly believe when we get down to it, that's where we've got to work to restore the family values, the need for family support, whether it's one parent or two. But the ties between the family and the support that's there.

We need to develop incentives for the kids to want to strive to improve their education and to look to role models involving work and the need to stay in school to get ahead, rather than the flashy car, the gold jewelry and the quick money.

We need to diminish the feeling of frustration and despair about the future by providing job training and job opportunities.

Again, I know these sound like generalities, but it's in these areas conceptually, it seems to me, that we need to be looking to do something about if we're ultimately going to really reach the source of the drug use, which is symptomatic I think of some of these problems.

As I say, and I had six children, it's natural for kids and young people to want to improve their lifestyle, to have a good time, to have material things. But it's terribly important that we try to have them understand that this normal desire and ambition, that traditional values of right and wrong and respect for the individual rights of other people, their property and their person, should go hand-in-hand with achieving these goals.

I don't pretend to have the answers. But I believe we must address the full spectrum of the problem. We must have law enforcement resources, police, prosecutors, judges, and prison space. At the same time, we have to have educational programs in the broadest sense for the very young as well as the young adult, and treatment programs for the addicted.

There must be a coordinated and comprehensive attack on the drug and drug violence problem. Otherwise, there will be no solution.

As I say, I don't think there are any quick answers. We're not going to turn this around this year.

With respect to Mr. Bennett's efforts, I met with Mr. Bennett's representatives very early on. There was a tremendous pressure, I believe, for Doctor Bennett and his group to make some kind of announcement about programs for the city. I think even 180 days is going to be very tough. I know Judge Walton of our court, who we are contributing in a sense, who is to be one of Doctor Bennett's deputies, that the staffing problems and the confirmation process is all taking time. As I say, there are no quick solutions. Doctor Bennett seemed to be—in talking to the Executive Branch and to us, was looking for things that possibly he might be able to influence quickly, such as dealing with prison space and those things. With respect to the court, he did not have any suggestions at that time, other than what could we do within our own operations to try to meet the needs.

But I think given time, and looking at the entire problem that has to be dealt with, even though I, in my view, 180 days to gather the information and to come up with the approaches is going to be very short time to do it in a way that will be most effective. But I'm hoping that the entire local law enforcement, as well as education, treatment, all types of programs, will be addressed not only for our city but for the whole nation.

So, putting an end to the drug epidemic requires, as everyone has said, the best efforts of our nation. We're not going to achieve this goal quickly, but we must as individual communities and as a nation have the will and the desire to persevere throughout all levels of our society to bring about change.

Communities throughout our country now, large and small, from what I hear is going on in the community, they're frustrated, they're angry and they're fearful. They now want to do something about drugs. To me, that may be the most important development that we have now seen, even though it has taken the terrible consequences to produce. People in the communities no longer will sit back. They want action, they want to do something themselves and they want the government to do its share.

So, I thank you for giving me the opportunity to appear and I believe that hearings such as this will serve as a catalyst to strengthen and foster our national will to fight this epidemic. Thank you.

Chairman RANGEL. Thank you, Judge.

[Statement of Judge Ugast appears on p. 154.]

Chairman RANGEL. Director George Wilson, Ohio Department of Rehabilitation and Correction, we're prepared to hear you now.

TESTIMONY OF GEORGE W. WILSON, DIRECTOR, OHIO DEPARTMENT OF REHABILITATION AND CORRECTION

Mr. WILSON. Thank you, Mr. Chairman. I thank you and the Committee for the opportunity to talk briefly about the impact of the drug epidemic on the corrections arena.

Obviously there are some advantages and disadvantages of being next to last. The advantage is that you learn a lot. And I guess the disadvantage is that you wind up repeating a lot of what has already been said.

In our correspondence from the Committee, there were several issues about which we were asked to respond. And in that regard, I will attempt to do so.

One of the issues had to do with the question of irresponsibility of local and State government in terms of a response from the Federal Government in dealing with this issue. I think my only response would be this is no time to point fingers. I think this is an issue on which we must all be in unison. There certainly is a role for the Federal Government and one for both State and local governments as well. I think the issue is one of working in concert for specific results.

Regarding the issue of boot camps spelled out in the correspondence, I think like many things in the criminal justice area we tend to attach our hopes and our desires, in some cases, to gimmickry and gadgets. It suggests that by embracing one particular idea or another we will find the panacea for a whole series of problems.

I think the boot camp notion is like many other ideas. In places where it's been tried, I think you will find that there have been varying degrees of success. I personally am not against the idea, but I certainly would not suggest that we should embrace boot camps that as a cureall.

Treatment and rehabilitation, once they've been tried in State, local, or Federal institutions, will yield positive results. I say "once they've been tried," because in many cases it is a false notion that rehabilitation is going on currently. In many places I'm aware that the judiciary is sending people to facilities to be treated and returned and hopefully they sin no more. In many cases, due to a lack of resources, that's a false assumption. So we need to approach that idea with our eyes open, knowing that the resources that we find in State facilities are not adequate.

As a director of the 5th largest correctional system in the country, after just completing a $650 million construction effort, we find ourselves again in the same situation that we were in ten years ago: We're still overcrowded. I want to caution this body, this group, that building prisons simply isn't enough, that you cannot build your way out of this phenomenon.

The data that I'm aware of suggest that there has to be a different approach. I know of no company or organization that can spend resources to the level that we in the State of Ohio have spent and still have the same problem and not ask why. Are we on the right track? That question must be resolved once and for all. To that end, I have a few recommendations and suggestions. Some of them have been espoused before. I would like to reiterate them for your convenience.

First of all, I think that a comprehensive planning mechanism must be devised. At no point do I see a clear, concise, comprehensive criminal justice policy or direction. When the resources that we spend are at this level, I think it's folly on all of our parts to pursue that course. We at the State level, those at the local level, those at the Federal level are all pursuing different directions at the same time under the guise that what we're doing will hopefully accomplish the same end. I think that approach must end.

I think that another approach that has been alluded to that has some utility is the idea of special judicial districts or zones, for many of the problems that are brought about through the drug scene can be dealt with in a separate fashion and perhaps a more expeditious and more efficient fashion.

I think another approach that's been given lip service but very little action is the whole question of community alternatives or community corrections. Make no doubt that there's a need for prison beds. There are many people who are on the street today who are dangerous to the community and that needs to be remedied. One way of doing that is you utilize community corrections alternatives for non-violent offenders to free up prison beds for dangerous offenders.

I think the one that has the most promise and is most compelling is the whole issue of early intervention, education, and prevention. Someone cited the Head Start program or the Head Start program as being one with great promise. I wholeheartedly endorse that approach.

Just recently researching the dollars as compared to what we spend on a daily basis in the correctional system suggests that this certainly does have some promise. The figures suggest that about $2,600.00 a year is spent on the Head Start program, while at the same time we in the State of Ohio spend $11,300.00. I think that in itself suggests that the economics make sense. That to me, and I think all the information that I'm aware of suggests that those who have had that exposure at the early stages turn out to be a much more productive and much more valuable citizen.

I think that the question of demand as well as supply must be focused on. I think that too was a point that was brought out several times by my colleagues. I guess if there is a question or a statement that I could make that I would like to emphasize, it is that this whole issue cannot be dealt with in a vacuum. It is not simply a law enforcement issue. It is one that is multifaceted. It is one that's multidimensional and one that will require multiapproaches in order to get satisfying results.

In summary my final suggestions rest on three points.

One has to do with real commitment. I say real commitment, because as you know many times noble thoughts or expressions are made, but the will and the follow-through to get the job done is not there. Call it politics. Call it rhetoric. Call it what you will. The bottom line is that there's a generation of people out there being lost and I see no concerted effort to stop that.

In order to make sure our society as a whole survives, we must provide real leadership, where partisan issues are put aside, human virtues and human principles are embraced, the moral issues are taken and put in proper perspective.

I guess the bottom line in the final analysis is a question of money. I don't necessarily think that money is the answer to all of it, but clearly I think the information suggests that resources to get the job done are simply not there.

That represents to me just a few of the ideas or thoughts that will help us begin to tackle this monster that we are affected by.

I want to thank the Chairman and I want to thank the Committee for the opportunity to be here to express my feelings.

Thank you.

Mr. COUGHLIN. Thank you very much, Director Wilson.

[Statement of Mr. Wilson appears on p. 170.]

Mr. COUGHLIN. Let us hear from Mr. Warren Woodfork, the Superintendent of the New Orleans Police Department.

TESTIMONY OF WARREN G. WOODFORK, SUPERINTENDENT, NEW ORLEANS POLICE DEPARTMENT

Mr. WOODFORK. Thank you very much.

Members of the Select Committee on Narcotics Abuse and Control, I want to thank you for giving me the opportunity to speak before you, last but not least. Maybe you saved the best for last. As George said, when you're last maybe you're better educated. I hope I won't be repetitive.

Drug abuse and drug use is the most insidious and pervasive problem facing police chiefs and city fathers throughout this country. New Orleans shares many big city characteristics with Detroit, Washington, D.C., Memphis, and other cities. The circumstances vary from location to location, but one axiom appears to be holding true, the larger the city the larger the drug problem.

About a year and a half ago, the International Association of Chiefs of Police released a report that said that 60 percent of the illicit drugs used in the world are used in the United States of America. Yet, this country only represents about five percent of the world's population.

Mr. Bennett said that there seems to be what he described as four Ps. People use drugs for pleasure, profit. Most young people use drugs because of peer pressure, and the past seven or eight years our society has been generally permissive about that sort of activity. I think the permissiveness has made a drastic turn-around in the last year or two and I think that's why we're at the state that we're at.

I've been a police officer for twenty-five-and-a-half years. I was fortunate. I started off as a beat officer and I was able to rise through the ranks fortunately to the position I hold now. But early in my career I was an undercover narcotics officer.

Gentlemen, the difference in what's going on in the streets of this country today and some 24 years ago when I was an undercover officer are as different as night and day. You certainly didn't have the level of abuse and trafficking then that you have today, and not as much violence. We've always had some level of drug abuse and drug trafficking in this free society that we live in, but it wasn't so blatant. It wasn't right out on the street in the eyes of the public the way it is today. And you didn't have as many young people getting involved then as you do today.

Some of the most heinous drug dealers 20 years ago would never think of using nine, ten, and eleven-year-old children to run drugs and to act as spotters. Last year in the City of New Orleans an 11-year-old male was killed execution style. He was a drug runner and because he had made off with a few bucks, those people he worked for executed him. When I worked undercover, the worst drug dealer would never think of doing something like that.

We in the criminal justice system have watched this situation grow in nature and complexity. Attacking it has proved to be a monumental task. The problem has taken on a life of its own. It is adaptable to changes in life style and response to varying levels of supply and demand. I think that it's this flexibility that makes the eradication of drug abuse such a baffling task. Established institutions such as police departments have found that they must also be creative and constantly changing in their methods. This is no easy task, but it must be done because traditional techniques must be enhanced if we're to make an impact.

Mr. Chairman, you said that it's been generally said that we're waging a war on drugs. Maybe so, but it appears to me from where I stand all of the shooting is coming from the other side and we're spending most of our time picking up casualties: police officers killed and injured in the line of duty because of increased drug trafficking, innocent bystanders gunned down on the streets of this country, and the young people who've become addicted to drugs and dropped out of school and who are what I consider to be the lost generation.

I'm hoping with the wisdom of yourself and the other members of this Committee and all of Congress that we're going to win this war. We need to realize that we haven't done what we should do to win a war.

First of all, we haven't even conscripted an army and we haven't laid out a plan of attack. I offer local law enforcement as your front line defender. We have the experience and the concern about our respective communities.

Let me say some things about the effects of current enforcement activities in my city. The drug problems in New Orleans brought about a situation that is akin to that of a national disaster. Few police departments across this nation were prepared for what happened in the world of cocaine marketing.

The phenomenon of crack, the drug of the '80s and '90s, was unknown to law enforcement in Louisiana as recently as 1986. In 1989, however, it is at the core of an epidemic that has more lethal capacity than the A.I.D.S. virus.

If effective, immediate action is crucial, it must take place at the local level. No governmental entity understands where and how to direct the offensive better than local law enforcement.

During the first quarter of 1989, overall crime in New Orleans increased by 14.2 percent as compared to the same period in 1988. The increase in personal violent crimes are almost directly attributable to the trafficking of drugs, particularly by crack cocaine. For example, homicides rose 27.7 percent, robberies increased 26 percent, and assaults arose by 15.3 percent.

There appears to be two types of attendant violence associated with drug activity. Street level users are preying on the public in order to support their habits and their encounters with the public frequently escalate because of the offender's agitated state of mind. The second type of violence manifests itself in drug deals gone sour. Recent statistics reveal that inner city residents are more likely than ever to kill each other over an interrupted drug transaction.

In New Orleans, the percentage of drug-related murders has increased from 52 percent of all murders in 1986 to 70 percent in 1987 and so far, for the first quarter of this year, 75 percent of all murders have been identified as drug-related.

The New Orleans Police Department has been impacting this problem by maintaining a high arrest rate. Narcotic arrests rose nearly 50 percent for the first quarter of 1989 as compared to the same period in 1988. But this situation has been exacerbated by the involvement of significantly increased numbers of juveniles. There has been a 41 percent increase in the number of juveniles arrested so far in 1989.

One other phenomenon I recognize. A couple of weeks ago we had an undercover operation involving an undercover officer that made buys from persons that were distributing crack cocaine. We arrested 80 persons because of that one officer. What I was surprised at, the number of people who had never been arrested before for criminal misconduct that were distributing drugs, including several school teachers and a nurse. Those people said that everyone else is doing it. You don't stand a chance of being sanctioned as you did some ten years ago. Chances are as a first offender you're not going to go to jail. If that trend continues, I think the problem with drug abuse and drug trafficking in this country are going to get worse before they get any better.

This increased enforcement, however, impacts the other components of the criminal justice system. Seventy percent of all State charges for drugs involve crack and our Department has enjoyed a 90 percent acceptance rate with the prosecutor.

Each of these cases must be reviewed and tried. An influx of Federal assistance was desperately needed by both the District Attorneys Office and the criminal court system. Fortunately, it was forthcoming.

The issue comes full circle with a discussion of the role of corrections. The sheriff's participation in a drug use forecasting system, a D.U.F., a project funded by the Bureau of Justice Assistance, has provided valuable data on the extent of drug use on the part of new arrestees. A urine analysis is done four times a year on new arrestees who are not charged with narcotic offenses. The result has been to document the correlation between drug use and criminal behavior.

In New Orleans, 72 percent of male arrestees tested positive for any drug. One-third of the arrestees tested positive for cocaine. Needless to say, all correctional facilities in Orleans parish are at full capacity. State offenders are also housed in New Orleans because the State correctional facility is full. We've gotten to the point where someone must be released before another post adjudicated offender is given space.

This resolving door situation is even worse for juvenile offenders. More are being arrested for more serious offenses. The space has never been more scarce. We have 124 beds available for juvenile detainees. Ninety-five percent of them are adjudicated but there is no space for them at the State level. In 1988, 5,555 juveniles were arrested in New Orleans, approximately six percent for drug trafficking. If the rate of arrests for the first quarter of 1989 continues, 6,544 juveniles will be charged and our system cannot handle it.

But there are some positives. Let me talk about the Federal role in law enforcement so far as New Orleans is concerned.

First of all, to suggest that local jurisdictions have no right to request Federal assistance during times of crises is to philosophically attack the concept of Federal disaster relief during times of national emergency. The use and distribution of crack cocaine is a national emergency. Local law enforcement is engaged in a war with drug dealers that they are not winning. The Federal involvement, through the grants process, has been fruitful and we have used the money wisely and productively.

The Anti-Drug Abuse Act of 1986 and 1988 has pumped $2.1 million into the criminal justice components of the City of New Orleans. This includes 16 State block grants and two discretionary grants. The District Attorney's office received $400,000 in discretionary funds to start a narcotics strike force project. The goal of that project was to expedite the arrest and prosecution of street level users and dealers through a joint effort between the police department and the District Attorney's office.

A second discretionary grant was obtained in July of last year. However, the impact of increased enforcement in prosecution efforts would be felt immediately in the court system. $720,000 was allocated to begin a criminal court drug case adjudication program. Its purpose was to prevent a backlog of cases by hiring retired district court judges to hear drug cases. These projects are completely dependent on Federal assistance for their survival.

However, the police department has been unsuccessful in its attempts to receive discretionary funding through direct entitlement, what the mayors talked about today. We have to go through the State for our monies. It's not so much the amount of money. It's some of the policies that the State sets. I would prefer to see direct entitlement where that money goes to cities of a population of 250,000 or more, it goes directly to those cities so that they can use those monies at their discretion. It cuts down on a lot of bureaucratic red tape with the State and it won't take 12 to 15 months to get some of this money.

In spite of that, we have been able to secure modest funding through the cumbersome State block grants and aid program. Our narcotics intensification program was funded last year for $350,000 and it made possible a task force of over 100 police officers and, over a three month period of time, it netted 2,100 arrests, 69 percent of which were for narcotics and 73 percent of that was for crack cocaine. This particular operation would not have been possible without Federal funds.

The New Orleans Police Department has used this grant as part of an ongoing learning experience. We learned a great deal about the depth and complexity of the problem as a result of the operation and its emphasis on drug-related intelligence.

It is obvious that we have benefited greatly from the Federal funds that we have been awarded. I do, however, have a few suggestions as to how the process could be made even more beneficial to the criminal justice community.

In 1987, the drug funds stood alone as a funding category and the allocation was controlled by the Department of Justice directly. In subsequent years, however, a decision was made to lump the anti-drug funds in with the money controlled by the Bureau of Justice Assistance. The overall allocation was increased and drug projects were given priority status.

The effect on other general criminal justice projects though has been devastating. Projects dealing with career criminals or informational systems have virtually gone to the wayside. The stand alone status of drug funds should be reinstated. Narcotics enforcement has been elevated to a superior status. It's still not the only issue that faces modern law enforcement today. General projects categories should be restored to previous levels.

There should be more discretionary projects at the local level. The State Block Grant Program is an administrative nightmare for large, urban areas. The formula for allocation reflects the age old conflict between rural versus urban areas of the State. Rural politicians use their clout to insure that the urban areas do not receive all of the funds. As Mayor Whitmire said, the money should go where the need is greatest.

There's no way to emphasize strongly enough that drug use, abuse and trafficking should be attacked with local police in the forefront of the offensive. Local law enforcement welcomes the involvement of Federal agencies such as DEA, Customs and the U.S. Marshals Office. But local police departments must be the lead agency. It is their communities that are being destroyed from the inside out.

Chairman **Rangel**. Superintendent, I do hesitate to interrupt, but we do have a time restriction here and the members really want to make certain they ask you some specific questions.

Mr. **Woodfork**. Let me close it up.

Chairman **Rangel**. I'd appreciate it.

Mr. **Woodfork**. Again, I just want to reiterate the fact that the system is there to provide Federal monies. I'd like to see some of the policies changed.

In closing, just let me say one thing. In my report are some specific figures. I know some of you ask questions about how much the City of New Orleans is dedicating to this enforcement. My report reflects some specific figures that the local government spends on that.

But there was an important point I wanted to make in my closing, Mr. Chairman. That's about this war again. We may not be winning now, but I think we're fighting like hell and we certainly need some generals to lead us, such as yourselves. The President of the United States is in Europe now dealing with nuclear disarmament, to insure that we will have some future inhabitants on this planet that we live on. I think we also need some narcotic disarmament to insure that we have some future inhabitants on this planet and that we have some young people who are sober and fit to serve in our Armed Forces and so that we could continue the productivity of this country.

I think that the drug fallout in this country is just as devastating as any nuclear fallout.

Thank you.

[Statement of Mr. Woodfork appears on p. 183.]

Chairman **Rangel**. Let me thank all of you. You are indeed our front line troops and I feel and sense the frustration that all of you have. I don't think that there's any problem that we have in the United States that some leadership won't cure.

Mr. Superintendent, we can't call upon the police. We need the police. As Bob Morgenthau has pointed out, our total drug enforcement agents here and throughout the world are less than 3,000. So, we need you. I'm just amazed and surprised that we don't hear a scream of outrage throughout these United States. You're only dealing with the criminal justice system. We're not talking about homelessness, the lack of productivity, the children being born addicted, the cost of maintaining an addict, the welfare cost, the S.S.I. cost, the loss to America. We're not even talking about it.

We're going to need more help from you in a very, very organized way. It's not just going to take this testimony. It means that all of you belong to groups and organizations and our country is being hit and we're being hit hard.

I'm amazed at some of the testimony that we got from Mr. Wilson here. How much did you say that you spent to build that prison? Didn't you say that you just spent——

Mr. **Wilson**. We spent $650 million over the last six years.

Chairman **Rangel**. To do what?

Mr. **Wilson**. To build prisons.

Chairman **Rangel**. Have you any idea what this breaks out to, the cost of construction per cell?

Mr. **Wilson**. About $45,000.00 per cell. Then you add operating costs of about $11,300.00.

Chairman **Rangel**. Per inmate?

Mr. **Wilson**. Yes, sir. Let me point out, Mr. Chairman, that $45,000 per cell is relatively cheap in comparison with some of the other construction projects I'm familiar with.

Chairman **Rangel**. Compared to New York City, you bet your life it's cheap. But still, in Ohio, we're prepared as your testimony indicates, to spend that kind of money for a person to stay for a year—$11,000—and yet the cost of education for grades 1 to 12 is about $3,600 annually per student.

Mr. **Wilson**. That's correct, sir.

Chairman **Rangel**. And also you point out that 75 percent of the inmates do not have high school diplomas.

Mr. **Wilson**. That's correct, sir.

Chairman **Rangel**. Forty percent of them cannot read above the 6th grade level. Now, if you do what most people do, after these bums serve some time, they come in dumb, stupid, illiterate and criminals, you don't have programs or resources to make them anything else. They reach a time that they're either kicked or pushed out, depending on the problems that we have in the criminal court system. You give them a couple of dollars. Then what do you tell that person? "See you soon," or "When are you coming back?" What sense does it make?

Now, I know that this sounds like left wing Democratic "throw dollars at the problem," but I wish we could get some of our thinking people together and ask whether or not this is just stupid to invest this type of money to take someone off the street, then kick them out at some given time knowing that he's coming back or at least half or three-quarters are coming back without training, without skills, without forcing them to learn how to do something.

Mr. **Wilson**. My point, Mr. Chairman, I think that if it's a dollar question, I think the economics on the issue is compelling in itself. I think if you spend the money on the front end, you don't spend it on the back end. No matter who the economists may be, I think those dollars stack up a certain way that suggests that we're on the wrong track. At some point you've got to call it what it is. I think we're not doing that.

Chairman **Rangel**. Well, I would agree with you but still I, for one, don't believe that if we've been involved in this war for eight or nine or ten years and now that Congress has mandated the appointment of a coordinator, that we just cease fire until the coordinator comes up with a battle plan. It was my impression that the war goes on, that we have these generals out there working with you so that we can just make certain that the policies are working.

Now, my only question is, is the Attorney General's Office trying to help you out in the courts, in the prosecutors office and in the prisons to teach you and to show you how to do this a better way? That's what it's all about. This is an international, national crisis. Our job is to show you and to provide the resources to show you that there's a better way to do it.

We didn't ask local and State police to get involved and to win all those wars we've been involved in. When we declare war in Washington, we expect that it's going to be a partnership. Now, have you seen your Federal partner working with you in the court system, in the prison system?

Mr. **Wilson**. We have worked, Mr. Chairman, a great deal with the N.I.J., the National Institute of Justice, which is an arm of the Justice Department. They've been helpful. Of course there can be no more help than the resources they have. I think that they've shown a commitment, at least to be concerned, to extend themselves. But again, they need added resources also.

Chairman **Rangel**. Well, help is on the way. Mr. Bennett's drafting a plan.

Mr. **Woodfork**. If I might just respond on that aspect, Mr. Chairman. We do work hand-in-hand with Federal law enforcement agencies, but earlier somebody said we got, what, 3,400 drug enforcement agents in the United States and internationally?

Chairman **Rangel**. It's 2,800.

Mr. **Woodfork**. Well, most drug enforcement officers throughout this country are supplemented by local police officers. If it wouldn't be for that, I think they would have less of an impact.

Chairman **Rangel**. Mr. Coughlin?

Mr. **Scheuer**. Mr. Chairman, I have a unanimous consent request.

Chairman **Rangel**. What is it?

Mr. **Scheuer**. That members be allowed to address the witnesses by mail with the record being kept open for 10 or 12 days so that we can receive the responses.

Chairman **Rangel**. Without objection.

Mr. **Scheuer**. And I have another unanimous consent request, to submit a statement that we print with all the other preliminary statements before the testimony starts.

Chairman **Rangel**. Without objection.

Mr. **Scheuer**. Thank you, Mr. Chairman.

Chairman **Rangel**. Mr. Coughlin?

Mr. **Coughlin**. Thank you, Mr. Chairman.

We're indeed fortunate to have all of you here. You represent the gamut of the criminal justice system from the police through the prosecutor, through the courts, through the correctional system.

If there's a common thread that appears when questions are raised about our criminal justice system, it is that we're making the arrests—in fact, more grants to make more arrests may not be the most useful way of spending money—but there's very little proximity between the crime and the punishment. Those arrested are not likely to go to jail. The bottom line is that we've got overcrowding that results in a revolving door system of justice and we need some community alternatives in the correctional system.

What kind of community alternatives would any of you propose?

Mr. **Morgenthau**. Let me just say this. A lot of people are being evicted and a lot of people are going to jail. I think the community demands that. You can't just have drug sellers out on the streets and in buildings and not be arrested by the police and not prosecuted and sent to prison or jail where appropriate. That doesn't mean that we shouldn't try to increase treatment facilities. That doesn't mean that we shouldn't try to develop treatment programs within our prisons and jails so that people will not go out and become addicted again and that we won't try to increase the training facilities that are available when people are in prison.

I think in addition to that, sometimes short sentences are just as effective as long sentences. So, it isn't necessarily the length of the sentence, but some sentence is required. That would be my view. I don't want to take more time here.

Mr. **Woodfork**. I think we need to spend the money wisely. Young people, 18 or under, are perhaps responsible for about 30 percent of the crime in the city of New Orleans. I think we need to spend monies on those alternative plans to rehabilitate the young people so that five years from now we're not talking about the same thing, and don't waste it on the hard core recidivist. That's the ones that need to be in jail, and work on the young people. If we don't, we're going to be back here again, or our successors will be, talking about the same problem. I think that's where you can spend the money wisely and maybe reach some level of success.

Judge **Ugast**. I would just add to that that I agree with Mr. Morgenthau. An awful lot of the distributors are being incarcerated. I also agree that certainty of sentencing may be as important, if not more important, than the length. But I would say the user is where maybe we need to give some new thought.

The tendency, I think, has been to not incarcerate certainly the first time user. I'm not suggesting that we should. I'm suggesting that there's where your community programs and your alternative sentencing programs need to be tightened with more structure. Work in the community, cleaning the parks, things like that where there is some structure to it and some work, but an alternative to incarceration, because I think we've got to change the attitude of the user. Some of them will be changed if they're brought up short with some structure and some tight discipline.

So, it seems to me that that might be the area that we need to look at very closely in terms of alternatives.

Mr. **Coughlin**. You would have the young people live at home and report to work at the parks in the morning?

Judge **Ugast**. They would be put on, say, probation or something like that, but it would be very structured. They'd have to report at 7:00 or 6:00 in the morning on a Saturday and Sunday or on certain days to do this type of thing and that they would be monitored very closely that they did it.

Mr. Coughlin. Thank you, Mr. Chairman.

Mr. Morgenthau. Let me just say one thing, if I may. That is that most people who run alternative programs, treatment programs, say that the only way you're going to get those people into those programs is if you have law enforcement. To be blunt about it, that's the club that will put people into those programs. So, without that overall pressure, you're not going to get people into the programs that are needed to rehabilitate and to divert.

Chairman Rangel. Mr. Shays.

Mr. Shays. Thank you, Mr. Chairman.

I consider myself an idealist and I believe in my heart of hearts that this is a problem we can solve, certainly we can make tremendous inroads. But I listen to all your testimony and I got very depressed. Not because I learned anything new, but because it's just the continual drumbeat.

I'm very pleased you are all here. I just need to ask you this. If we get a mayor who preceded you who said eviction is taken more serious than an arrest, it tells me we've got a criminal justice system that's a joke. I guess my point is, what do you do to get individuals to take the criminal justice system seriously?

Mr. Morgenthau. Well, I think that the people who are arrested, and in New York City there were 90,000 of them last year, that they're taking it seriously despite the isolated stories that they're not. Certainly the eviction from the apartment is a serious sanction, but I don't think anybody's not taking it seriously.

And I'm glad you're depressed because I'm depressed and I think all of us here are depressed. The reason I'm depressed is that I don't see the kind of commitment in Washington, in the State houses and a lot of city halls that are required if we're really going to win this fight. We're doing it with one hand tied behind our backs. I'm glad you're depressed.

Mr. Shays. Well, no, I'm glad I'm depressed, too, in one sense. But let me say in another sense, it would be helpful for me to have some steps we could take.

For instance, I represent three cities. My district is primarily urban. If I have the chief of police in the City of Norwalk tell me that he's arrested one individual 20 times before his trial came up for his first offense and by the time he was finally sent to jail, it was two years later. Now, maybe that's just a problem we have in Connecticut and maybe you don't have it in New York and some of the other States here. But it strikes me that when you said the best deterrent is a swift and certain punishment, it seems to me that is a major problem.

In other words, one of my reasons for getting depressed is I see a whole list of problems and I don't sense priorities. I guess that's part of my problem.

Mr. Morgenthau. Well, there are certain people that slip through the cracks, but I don't think that's typical. I can't speak for Connecticut. It's certainly not typical in New York.

Mr. Woodfork. I think those priorities ought to be, like I said earlier, young people deterrent programs, first time users, certainly not first time distributors. It sends the wrong message.

Did you hear what I said earlier? Some of the people that were involved several weeks ago and arrested in New Orleans, a couple school teachers, a nurse, people who had never been arrested for any sort of criminal misconduct before but decided to get into distributing drugs because there's a profit there and they had seen other people do it and virtually get away with it. Now, that sends the wrong message. To me, I think that's just going to encourage other people from that vein to get involved.

Mr. SHAYS. I only have a little time here. I guess my real key question is what do you do to have people take the criminal justice seriously? You send them to jail, Mr. District Attorney, and they're going to be given a ten year sentence, but they're going to get out two years later. That's the bottom line.

So, it just strikes me that the system has fallen apart so badly that we almost have to overcompensate to really get the message across. I'm not talking about the death penalty. I happen to agree with you. It's ten years later and by that time the person has changed. He's a different person and yet you kill him.

But what do you do to get the message out that this is a system that really means business?

Mr. WILSON. May I?

Mr. SHAYS. Yes, sir.

Mr. WILSON. I think one major problem that the system has is one of credibility. The system deals with people in various and sundry ways, depending on who you are. That's not to say that—I happen to think that drug trafficking and distribution of drugs is a very serious matter. But if you're black, you are treated one way by the system and if you're white you're treated another way by the system and that's nationwide.

In our system, we have ten percent of the population and 50 percent of the inmates. Now, that's not to say anybody's right or wrong. It says that something is disproportionately happening and when people view the system as not being fair, it begins to corrode, begins to erode that confidence, that not only the people who have been processed by it, but the people who are on the outside viewing it. We have had difficulty admitting that at times.

If you're going to deal with people who break the law across the board, that's one thing. But if you come and you are a person without means and you are dealt with on one level, another person's dealt with another one, the same thing and everybody knows it, you have a problem with people not believing in the system and there is a carry over to that. It's difficult to stop it. It's difficult for people from that point on to begin believing it.

Mr. SHAYS. Thank you.

Judge UGAST. Let me just say that I agree that the credibility of the criminal justice system is at stake, but part of it resources. Our criminal justice systems and our courts are being so overloaded that it is taking longer than it should to get to trial. That's the reason that some of the problems that you hear about in Connecticut and that all of us have. Likewise, crime committed while on release follows from the same thing.

At what stage an individual should be held on bond or otherwise is another matter of judgment. But the credibility, as I said, is being able to have the resources so those people that are arrested with cases where the evidence that the prosector has justifies it are immediately brought to trial and hearing and, if found guilty, sentenced.

As I again say, servitude of sentencing, unwarranted disparity in sentencing is also an issue and that's why sentencing guidelines so many places—the Federal sentencing guidelines, although criticized by some, we're trying to work on sentencing guidelines to remove unwarranted disparity with respect to similar offenses and similar criminal record. It does remove some of the discretion of the judge, but it is important that the credibility of the criminal justice system be perceived as fair.

Mr. SHAYS. Thank you. My time is up. I'll just close by saying that I think we need to do all of the above. I'm willing to vote for new resources. If it means new taxes as well, I have no reluctance whatsoever to do it. I agree with all of your comments that we need to do so much more.

Thank you, Mr. Chairman.

Chairman RANGEL. Mr. Scheuer.

Mr. SCHEUER. Thank you, Mr. Chairman.

This was a truly superb panel, Mr. Chairman, and I thoroughly enjoyed it.

I'd like to ask the panel a couple of questions and then I want to address a couple of questions to Mr. Morgenthau. I'd like to get my questions out and anybody who wants to make a contribution by mail can do it because we're not going to have time to do it all here.

To the panel. I'd like to ask what actually happens after an arrest and what do you think ought to happen? What happens once an offender goes to prison, 70 percent of whom are drug addicted? Do they get treatment? Do they get rehabilitation? Do they get literacy training? Do they get skills training so that they can get a job when they get out, assuming there's any desire on their part to avoid further recidivism on their part? Do they get family counseling?

It seems to me that there's no advantage really to arresting a young person and sending them to jail but if there would be it would be that we've identified them. We know who they are. They've engaged in crime and three-quarters or more of them are addicted.

Is there enough of that going on? Would that be a key place for us to invest limited resources?

Second, after an arrest, for non-violent offenders, would it make sense to short-circuit the criminal justice process, the trial process, and assign a non-violent offender who was drug addicted or even one that wasn't drug addicted to some kind of a halfway situation, to a vocational ed. school where he'd have to report in, where he'd be subject to supervision by a corrections officer, a probation officer, where he was under pressure to take treatment, to take rehabilitation services, to take family counseling, to learn a job skill, to become literate?

Would it make sense to short-circuit the criminal justice system that doesn't seem to provide very much rehabilitation in general of the whole human being and concentrate on giving this person the knowledge, the insight, the skills to lead a normal life if they want to?

Now, that's one question. After I ask another couple of questions to Mr. Morgenthau, then I'd enjoy hearing your answers to the limit of my time.

To Mr. Morgenthau. I was absolutely fascinated about hearing you tell us that the New York City P.A.L., Police Athletic League, runs seven Head Start programs. Wow. That's a breakthrough. I've never heard of any element in the criminal justice system getting involved in that.

Can you give us some estimate of whether it's cost effective? Do you involve parents? Do you outreach to the family? Do you bring in parents? Do you find that having a P.A.L. unit, which is sort of related to the criminal justice system, very definitely, does that give the counseling to parents, if you get parents involved, more credibility than the schools have? The schools have desperate problems getting parents involved. Have you been successful? Are your people who are involved in the Head Start program law enforcement officials, are they para professionals? Do they work in uniform? Is there a sense that this is a law enforcement presence——

Mr. MORGENTHAU. In the Head Start program, we run them like any other Head Start program. I mean the police have no direct involvement. The Police Department puts up no money for the Police Athletic League, although they do assign officers in each borough as liaisons.

But I'd like to say that in addition to that, we run eight libraries, study clubs. This is for children 5 to 18. We have baseball teams, basketball teams, music programs, art programs.

If I could just tell you one story. In the last 50 years, we've run an essay contest—it goes back a couple of years before I was involved—of "What I would do if I were Police Commissioner." The winner becomes the police commissioner for a day, and the runner up first deputy and so forth. The boy who won that competition 45 years ago was Benjamin Ward, who is now the Police Commissioner of the City of New York.

Mr. SCHEUER. Wow. That's an impressive story and thereby hangs the——

Mr. MORGENTHAU. So, we do a lot of things to try to get—and it puts the police department in a position with our athletic programs of being a friend in the community. So, I think it's a very valuable interaction.

Mr. SCHEUER. Can you see the possibility and the justification for Federal funding for such outreach by police departments across the country——

Mr. MORGENTHAU. Absolutely.

Mr. SCHEUER [continuing]. That would give their credibility and their respect and even affection that people hold for police in these embattled neighborhoods?

Mr. MORGENTHAU. Sure. I think it's both education and it's prevention. I would think absolutely, that it should be Federally funded.

Mr. SCHEUER. Have your P.A.L.s in New York City made an effort to involve parents in the Head Start programs?

Mr. MORGENTHAU. Yes, we do try to. We do try to bring them in. We do.

Mr. SCHEUER. All right. My time has expired. I'll get that first set of questions to the entire panel in writing and we'll hold the record open. I very much appreciate your testimony. It's been absolutely superb.

[Statement of Congressman Scheuer appears on p. 206.]

Chairman RANGEL. And the questions haven't been that bad either.

I hope that when you go back to your regular organizations that you are as outspoken as you have been in front of this Committee so that your colleagues can go to their respective members and share with them what is going on because there is a tendency, I think, for most people, that if you can throw it in the precinct or throw in the court or throw it in the prison, then it's out of sight.

From what I've seen all over the country, it doesn't stay out of sight that long before it comes back even in worse shape than it went into the criminal justice system.

I heard, Mr. Morgenthau, that one of our Supreme Court justices in New York just might be indicted for drug trafficking.

Mr. MORGENTHAU. I've heard that also, but I don't have any personal knowledge.

Chairman RANGEL. But we talked about credibility of the system. Our principals, our police, we have juries not believing policemen, defendants walking away. This thing is tearing the fabric of America wide open.

I just don't see how, with all due respect to my colleagues, that this type of thing means we should be patient in waiting for a report or a strategy. We are desperate and we are not only losing everyday, but we are sending billions of dollars everyday to these people, none of whom have declared any successes. They're doing the best they can with what they have to work with and then sending that garbage right back into our community to be recycled, instead of us coming up with some plan and strategy so that we all can say that at least we see some light at the end of the tunnel.

Mr. Scheuer has asked that you respond to the questions. I hope that we can expand that request. If there are things, questions, that we should have asked that we didn't, ideas that you do have, please feel free to share them with the committee and don't give up on us because we're going to be there working with you until we get this thing right.

Thank you very much.

[The information referred to was not available at time of printing.]

Our last witness is Joe Whitley, Acting Associate Attorney General.

TESTIMONY OF JOE WHITLEY, ACTING ASSOCIATE ATTORNEY GENERAL

Mr. WHITLEY. Good afternoon.

Chairman RANGEL. Are you Mr. Whitley?

Mr. WHITLEY. Yes, sir.

Chairman **Rangel**. Okay. Well, welcome. We've read your testimony and I hope you've had a chance to listen to some of the problems faced by our local and State officials. We are very concerned as to how the Attorney General's office sees the drug enforcement crisis at the local level.

Mr. **Whitley**. Thank you, Mr. Chairman and members of the Committee. It's a pleasure to be here this afternoon to testify and answer those questions and others that you earlier submitted to us in writing.

Seated to my left is Doctor Charles P. Smith, who is Director of the Bureau of Justice Assistance (BJA). I thought it would be useful to have him accompany me to help answer some of the more technical questions that you might have about the grant programs.

Chairman **Rangel**. Thank you very much.

Mr. **Whitley**. If I may, I would ask that my complete statement be submitted in the record.

Chairman **Rangel**. Without objection.

Mr. **Whitley**. And I would like to highlight a few points in the written statement for you.

As I indicated, I welcome the opportunity to be here today to discuss the impact of drug abuse and drug trafficking on the criminal justice system at the local level.

By way of overview, I should note that State and local law enforcement, as you have heard here today, account for the majority, some percentages are 90 to 95 percent, of the aggregate law enforcement effort in the United States.

Federal involvement in the drug arena, as you know, is less than that in most areas. But even here, the Federal role is primarily one of seeking to penetrate and disable international and interstate drug trafficking and money laundering rings.

You asked us questions in your letter about the implementation of the Drug Control and System Improvement Grant Program. The Anti-Drug Abuse Act of 1986 and the subsequent Anti-Drug Abuse Act of 1988 both authorized a formula grant program which is allocated 80 percent for each fiscal year appropriation and a discretionary grant program which has allocated the remaining 20 percent of annual appropriations.

The Bureau of Justice Assistance has made all FY 1989 formula grant awards to the States, totalling approximately $119 million. B.J.A. issued its FY 1989 discretionary grant program plan on January 9, 1989 which identified program priorities for approximately $30 million in available drug control discretionary grant funds. All applications for FY 1989 funds were either awarded or in the final review stage.

The past three years' programs funded through the formula grant program have significantly enhanced the drug enforcement, prosecution, and treatment capabilities of State and local governments. B.J.A.'s discretionary grant program has demonstrated the value of focused enforcement initiatives such as the crack task forces.

In summary, since fiscal year 1987, this federal assistance program for State and local anti-drug activities has totaled approximately $440 million.

Now a few words about the Federal and local partnership in narcotics control. Through B.J.A.'s formula grant program and the State strategy process established by the Anti-Drug Abuse Act of 1986, and continued by the Anti-Drug Abuse Act of 1988, the States are required to involve local drug control officials in the development of the required strategy. This process has proven to be an effective means of enhancing and coordinating the efforts of Federal, State, and local drug control programs.

An example of a major activity funded through B.J.A.'s formula grant program is the establishment and enhancement of over 700 multi-jurisdictional task forces predominantly at the local level. B.J.A.'s discretionary grant program supports targeted enforcement programs in local jurisdictions throughout the country including the crack task force, as I mentioned, narcotics enforcement in public housing, urban street gang trafficking enforcement and demand reduction activities such as Drug Abuse Resistance Education or DARE, as it is commonly known.

Our role federally is specialized, as I indicated. The District of Columbia Metropolitan Police Department alone has more sworn officers than the DEA, our ability to control street level narcotics activities in the thousands of neighborhoods of the United States is limited at best.

Consequently, most of the major Federal investigations and prosecutions of large-scale drug trafficking and money laundering syndicates are carried out through our Organized Crime Drug Enforcement Task Force program that goes by the acronym OCDETF.

Federal anti-drug enforcement efforts at the local level consist primarily of cooperative ventures whereby Federal agents work with State and local law enforcement in anti-crack, anti-gang, and other task forces, often through law enforcement coordinating committee mechanisms.

The level of cooperation and coordination of Federal, State, and local law enforcement efforts has increased from my perspective dramatically in recent years. Several factors account for this enhanced cooperation, including the law enforcement coordinating committee program that I mentioned earlier.

These programs are under the general supervision of the U.S. Attorneys. These coordinating committees are established in every Federal judicial district to provide a forum in which representatives of all levels of government meet periodically to develop district-wide priorities and operating plans.

Perhaps one of the biggest factors in improved law enforcement cooperation was the enactment by Congress in 1984, in the 1984 Crime Bill, of President Reagan's proposal to authorize State and local law enforcement authorities a share in the Federal forfeitures through equitable sharing.

In the first year of this activity, under the new Equitable Sharing Statute, fiscal year 1986, the Department of Justice shared approximately $25 million with State and local law enforcement. Fiscal year 1988, equitable sharing exceeded $104 million. Current estimates are that total sharing in fiscal year 1989 may reach as much as $150 million. These figures are only for the Department of Justice. The Customs Service has similar sharing authority.

We expect that Federal forfeiture and related equitable sharing will continue to grow in the months ahead as additional Federal resources are devoted to seizure and forfeiture of property.

Recent equitable sharing cases demonstrate the importance of sharing a federally forfeited property. In New York State, Attorney General Dick Thornburgh recently shared over $20 million with New York State Police, New York City Police and other law enforcement agencies which played a major role in the seizure of nearly $30 million from money launderers and drug traffickers in three cases.

One problem we have encountered is that our ability to identify and seize forfeitable properties outstripped our ability to process these cases through the forfeiture system. Congress last year in the Anti-Drug Abuse Act of 1988 provided some $22 million in new resources for the U.S. Attorneys offices to finance 175 new Assistant U.S. Attorney positions and 175 support staff positions dedicated to processing of judicial forfeiture cases. These positions have been allocated among our 94 United States Attorneys offices.

Forfeiture is perhaps the most effective means of permanently disabling drug trafficking and money laundering syndicates, and at the same time financing State and local drug enforcement efforts. In a sort of poetic justice, we are reinvesting the profits from forfeiture and drug trafficking efforts that will lead to more forfeitures.

A major concern which we have in common with State and local law enforcement agencies is the provision in the 1988 Drug Bill which terminates our ability to share a forfeited property with State and local agencies in drug cases, if such sharing is in circumvention of State laws governing State forfeitures or controlling the distribution of property forfeited under State law.

According to some, the effect of this new provision of the law would be to create a potential for litigation in State courts whenever we share federally forfeited property with State and local law enforcement agencies. We are confident that this result was not intended and we're proposing legislation shortly to clarify what we believe was the intent of Congress in enacting this statute.

In regard to the Office of National Drug Control Policy, we have been working closely with the director and the staff of the Office of National Drug Control Policy. One of the major efforts of that new office to date has been to surface and develop new and innovative ideas in methods of attacking the national drug problem.

With respect to the concept of high intensity drug trafficking areas, we have been consulting with the Office of National Drug Control Policy on this concept and the details of the proposals are still under development. No final decisions have been made yet regarding specific criteria for the selection of those areas.

The Director of National Drug Control Policy has recently stated his interest in the concept of boot camps for youthful offenders. We have asked the Bureau of Prisons and Office of Justice Programs to review such boot camps that are already in existence and we will be providing our findings to the Director.

As to the cost of drug crime, in your letter you asked us what were the costs of drug crimes. Attempting to place dollar costs on drug crime is a difficult task. Two recent studies attempt to estimate all or part of the cost of drug crime to the criminal justice system.

One study was done by the Research Triangle Institute or the R.T.I. The R.T.I. study suggested a cost of $4.5 billion in 1984, but this was based upon assumptions which now may be dated. For example, R.T.I. assumed that ten percent of the homicides and other violent crimes were drug related.

A second study was commissioned by the U.S. Customs Service to compare the cost of drug interdiction with those of drug investigation. That study estimated the cost to Federal, State, and local drug enforcement, excluding prosecution, courts and corrections, at $6.2 billion 1986.

With respect to the costs in specific cases, these vary widely. One study conducted on the cost of processing New York City robbery cases committed in 1981 found a range of from $851.00 dollars to approximately $32,000 for the cost of investigating and prosecuting these crimes.

As for costs of incarcerating drug offenders, the Federal Bureau of Prisons reports direct expenditures per prisoner for fiscal year 1988 at approximately $14,500. The national average for State incarceration is about $16,000 per year, but this varies substantially, as we've heard, from State to State.

We are unaware of estimates of the cost of incarceration in terms of lost productivity or of average cost of rehabilitative service to inmates.

Finally, with respect to recidivism for drug offenders, a recent study by our Bureau of Justice Statistics, based on a sample of 109,000 prisoners released in 11 States in 1983 found that 50.4 percent of those who were serving time for a drug offense were rearrested for a serious crime within three years of their release.

Obviously, this study is not encouraging in terms of our ability to rehabilitate drug offenders.

In sum, Mr. Chairman, the magnitude of the drug problem is immense and its effects are staggering. As you know all too well, it is a very persistent problem, not susceptible to quick or easy resolution.

Law enforcement alone is not going to solve the problem. At best, we can try to keep a lid on it while drug education and drug treatment programs hopefully will curb the national appetite for drugs.

The only meaningful drug program is one which seeks to address every aspect of the problem, seeking to reduce foreign and domestic production and processing, striving to interdict drugs before they reach our citizens, attacking the drug trafficking and money laundering syndicates, distribution networks, and enhancing drug abuse education, prevention, and treatment.

None of these elements can be neglected. The task is to allocate our limited resources appropriately among these different drug supply and demand reduction programs.

We look forward to working with the Director of the National Drug Control Policy and the Congress in arriving at these difficult allocation decisions.

Thank you very much and that's the end of my prepared comments.

Chairman **Rangel**. Let me thank you, Mr. Attorney General.

[Statement of Mr. Whitley appears on p. 207.]

Chairman **Rangel**. I'm going to be forced to leave and turn this over to Mr. Coughlin, but let me ask some policy questions.

Does the Attorney General's office believe that the Federal Government should provide Federal funds to support local and State police?

Mr. **Whitley**. We are currently doing that through our Bureau of Justice Assistance program.

Chairman **Rangel**. I'm not talking about forfeitures. I'm talking about direct assistance, either through the cities or States.

Mr. **Whitley**. We do provide that assistance, and Mr. Smith can elaborate, through our Bureau of Justice Assistance.

Chairman **Rangel**. I know you do because the Congress has mandated it and it was signed into law. But I'm asking whether as a matter of policy you believe that the Congress should continue to pass legislation to provide resources for local and State police? This is especially so since, in your testimony, you point out that 90 to 95 percent of the criminal problems are local and State in nature, and it is especially so since in the last Administration they were violently opposed, politically and policy-wise, to the Congress appropriating money for State and local law enforcement.

Now, I did hear President Bush loud and clear in his speech to the joint session of the House and Senate indicate his support for local and State law enforcement. So, I just really am asking whether you would reaffirm what I heard the President say.

Mr. **Whitley**. That's my personal belief and that's also the belief of the Department of Justice, that we should enhance our contribution to the State and local efforts through the variety of programs that I've mentioned in my prepared statement. Any innovative way we can come up with to help our State and local——

Chairman **Rangel**. Even if it means money?

Mr. **Whitley**. Well, it has meant money. In some of these programs I've mentioned——

Chairman **Rangel**. I know. It's a difficult thing. We want to improve education but we don't want to put money in it. We want more housing, but we don't want to put money in it. I agree that we have to go to charitable organizations and non-profits and local and State governments and it's partnership. But you don't have any problem saying that there is a Federal role in providing funds in this effort?

Mr. **Whitley**. Absolutely.

Chairman **Rangel**. Now, the other thing is a question of leadership. After we've put up the money, do you see a Federal role from the Attorney General's office to reach out to these police chiefs and to give them technical advice as to how you think this war should be fought? Do you have conferences? Do you call in mayors and attorney generals and police chiefs and when do you do it?

Mr. **Whitley**. Yes, it's my understanding, and of course I've been in the Department of Justice now for eight years and I've seen——

Chairman **Rangel**. Good.

Mr. **Whitley** [continuing]. The program develop, Mr. Chairman, and I've seen us come from a time when we had very little contact with State and local law enforcement to a point now where we have in every district these law enforcement coordinating committees whereby the U.S. Attorney is a chairman in that particular region. He's instructed by the Attorney General to pick up the phone and call the local prosecutors and call the sheriff and call the chief of police and call the——

Chairman RANGEL. It's been my experience as a former Assistant U.S. Attorney that normally that depends on the personality of the U.S. Attorney and the local political structure. But I'm asking is there a formal Federal structure where now that we've committed these Federal dollars out there that we're monitoring to make certain that they don't substitute Federal dollars for city dollars, that these programs are programs that we want them to do, that we're pushing them to do their jobs better since they're on the front line.

Doctor Smith?

Dr. SMITH. We do two major things on that, I believe. First, we run a technical assistance and training program which enables people to understand how to best utilize things like asset forfeiture and any other things that we think is——

Chairman RANGEL. Is that on a volunteer basis or how does that work?

Dr. SMITH. No, we do it on a basis that the people are paid to attend different sessions and learn how to do things better. We also provide people to go out into the police departments and into the courts, to enable them to learn how to do things better, new processes.

Secondly, we have a very extensive evaluation activity that goes out to determine out how these particular programs work and, in turn, we then provide information to the various people on what does work as quickly as we can so that our discretionary funds become a demonstration of what works. These can be funded through block grant money or by state and local money independently of Federal money.

Chairman RANGEL. Could you send a paper to me that would answer my question as to what the Attorney General is doing to better equip and train our local and State law enforcement officials? One of the people who testified said it's not all a question of money, it's a question of accountability, technical assistance and guidance. So, if you could do that, Doctor Smith, I certainly would appreciate it.

I have to turn the gavel over to Mr. Coughlin. But I want to thank you for your testimony and hope that we can get together with the members without the mikes in an informal session so that you can advise us how we could better legislate, how we can improve upon what we've done, how we can drop some of the things that are not working and I think you mentioned the forfeiture and you heard the mayors mention that too, because it was difficult legislating from a viewpoint of opposition. But now that we all want to improve the system, there's no need for a lot of hearings. We can bring your technicians together, we can sit around and we can try to improve what we've done.

Thank you very much.

Mr. Coughlin.

Mr. COUGHLIN. Thank you very much, Mr. Chairman.

Before I yield to Mr. Shays, just let me say that I have known the Attorney General for a number of years, coming from the State of Pennsylvania, and his service as governor there was extraordinarily well done. I'm sure that his service as Attorney General of the United States is being done in the same way.

We appreciate your taking your time here. I'll have a question or two, but let me yield to Mr. Shays.

Mr. SHAYS. I would think one of the things we could agree on is that the criminal justice system is really broken down and is not working well as it relates to the whole drug effort. Could we agree on that or do you think it's working okay?

Mr. WHITLEY. It's working at peak capacity. No one, under any circumstances, could have looked into a crystal ball 15 years ago and have predicted we would be in the condition we're in today, Congressman Shays. So, I would say that we are trying as best we can to work with the resources we have. I would say the system is stressed by the impact of prisoners who are in there for drug-related criminal activity. Our prosecutors are working 60, 70 hour weeks. Our investigators are out working lots of overtime.

So, I would say the system is not working as we would like for it to work, whereby a person could work a normal work week and whereby we could get by on the resources that Congress has appropriated.

As you know, since 1980 our enforcement efforts, through your good graces and other people in Congress, have increased by 100 percent against the drug problem. I don't think America woke up to the drug problem we were having until early 1980. So, there necessarily is some lag time in our system. So, it is not working as it was intended.

Mr. SHAYS. Was your testimony that approximately 90 percent is a local and State responsibility and approximately 10 percent as it relates to the drug effort?

Mr. WHITLEY. My testimony was that about 90 to 95 percent of the resources directed to law enforcement come from State and local governments. Simple math indicates that the number of DEA agents, for example—the figures I have are perhaps not accurate, but they're somewhat less than the number of metropolitan D.C. police officers. So, you've got an equation here which is really more on the State and local side certainly. Our efforts have been geared primarily toward the national, international narcotic traffickers and the money launderers.

Mr. SHAYS. My view is that the system is clearly broken down, not because there hasn't been good faith efforts but simply we've just been overwhelmed by it. In the city of Bridgeport in my congressional district, when a gentleman drives a car down a street in the snow and some kids throw a snowball at him and he gets out of the car to complain about the snowballs and these two teenagers, very young teenagers, 13-year-olds, pull out pistols and start to shoot him, you know that something is wrong with our system.

I guess my point is that you were so hesitant—finally the answer came out—but you were so hesitant to tell the Chairman, "Damn it, we need more money. We need more resources and it's the Federal responsibility to provide more of it."

I guess my reason for thinking it's a Federal responsibility is that I don't know drug traffickers who stay neatly within one town. I don't know those who purchase drugs who just say, "I'm just going to buy in my town." They go across boundaries, they go across State lines and so on.

So, isn't there a real logical argument that this is a Federal responsibility and one that we need to address?

Mr. WHITLEY. It's not just a Federal responsibility. I think my testimony was intended to project the notion that it is a shared responsibility between Federal, State, and local governments. I don't think any amount of money we throw at the enforcement side is going to win this war. I think the Attorney General has been quoted as saying, and I'm paraphrasing, that if we think we're going to win this war against drugs with law enforcement alone, that we're sadly mistaken.

Mr. SHAYS. No, that's never been my comment and I don't even know why you would even try to make that point. I'm not making that point. You're telling me it's a shared responsibility and yet you're saying to me that 95 percent of it is being handled by the State and local governments. It strikes me that we should have a bigger share of that responsibility on the Federal level.

I'm not putting the onus on you. I'm in Congress. It's up to me to live up to my part of my responsibilities. But isn't it logical to assume that this is a problem where the Federal Government needs to be more involved in this shared responsibility?

Mr. WHITLEY. No, I agree and I don't mean to differ with you on this point because I think we're saying the same thing, Congressman. I believe that we do need more resources at the Federal level. In last year's bill, we were authorized but not appropriated all the money in that bill. That's been a pattern throughout the 1980s, where money has been authorized but not appropriated. And I'm not pointing a finger at anyone either in that regard because these have been really severe budget times. There have been lots of competing interests against our drug enforcement efforts.

I believe we do need more resources federally to deal with the problem. But those resources need to be focused. I also think we need to pass through the B.J.A. process and other processes funds to the State and local governments. But I don't think we need to return to the days of the L.E.A.A. types of programs where we just give the money out without any strings attached. I think it needs to be focused in a directed approach.

It's my hope that Director Bennett and his staff and other people that are working with him will come up with a strategy that will help us focus our resources because I just think there's no end in sight on the supply side, unfortunately.

Mr. SHAYS. Let me just ask this last question. I happen to agree that Secretary Bennett should have the time to work out a plan. One of the mayors said he's just not spending enough time with us. And yet I asked the good Mayor from Houston and she said, "Well, he's coming down to spend a few days with us." So, he clearly is getting around the country to develop this plan. Congress gave him until September because it's going to be a master plan. It's going to look at all aspects.

So, I'm impatient that we have this problem, but I'm very patient when it comes to giving him the opportunity to do the job that Congress allowed him to do.

But just let me make this one last point. It seems to me not only should we provide more resources, and not in the L.E.A.A. fashion, making sure it's going where it will do some good, but also isn't there some logic to make some drug offenses Federal offenses, by taking them right out of the State area?

Mr. WHITLEY. Well, right now, virtually all drug offenses are Federal offenses. Most U.S. Attorneys have declination guidelines——

Mr. SHAYS. I need to interrupt you here and just have you clarify this for me. I've been on the Judiciary Committee in the Connecticut State Legislature and the vast majority of people who are arrested for drugs are being tried in the State courts. They're not being tried in the Federal courts.

Mr. WHITLEY. Yes, sir, that's correct. I think maybe I should clarify for purposes of answering the question. The Federal Government has jurisdiction over virtually all drug offenses. But as a practical matter, State and local governments pursue most possession type cases, user type cases, simple local trafficking cases that are within a city or within a geographic area as opposed to the type of cases that you suggest are uniquely Federal, those that go between jurisdictions. Once it gets up to a certain point, that's when the Federal jurisdiction clicks in.

To focus our resources, most U.S. Attorneys have declination guidelines whereby they will not prosecute, say, cases below a certain dollar amount or certain amount of drugs. They have worked out with their State and local counterparts, local D.A.s, agreements whereby there won't be any gaps in prosecution. But that's what we have currently. We have a system where the jurisdiction is virtually concurrent between Federal and State and local law enforcement. It's just that of necessity we've had to focus our resources at the upper end.

Mr. SHAYS. I just make this comment, and thank you, Mr. Chairman, that besides giving those resources, we might give a good look at making sure that not only do we have the jurisdiction, but that we utilize it and make some of these Federal offenses instead of State and try them in Federal courts.

Thank you, Mr. Chairman.

Mr. COUGHLIN. Thank you very much.

Just briefly, earlier our colleague, Mr. Gilman, raised the question of the relatively small number of awards made that have actually been disbursed. In Pennsylvania, for example, in the years 1987 through 1989, there were $14.5 million in awards made and only $5.5 million actually disbursed in that period.

One of the questions we've been getting in appropriating more funds for these programs is that there are unobligated balances that have not been disbursed or obligated in one way or another. I realize these are not necessarily obligations, but could you discuss this for a moment?

Mr. WHITLEY. Let me defer to my colleague, Doctor Smith, on this question.

Dr. SMITH. Mr. Chairman, there are three types of funding stages that I think are important to consider. The first is the award of the money by the Bureau. The second is the subgranting of the money by the State to either State or local agencies. And the third is what is called the disbursement of that money.

Now, all the money has been awarded by the Bureau for 1989 as of April 15th. In fact, all the money has been awarded for all of the three fiscal years for which appropriations were made. That means money is obligated to those States. Now, we also have money that is subject to being expended over a three to four year period. Once we award the money, it is not necessarily expended by the State within a one-year period because it's multiyear money.

The second stage is when a State makes an award as a subgrant to either a State or local agency and that, of course, lags behind our award because they have to go through the process of getting certain grant applications to make subgrant awards.

Now, once that money is awarded, then a State or local agency who has received the award has the option to expend the money. So, if a police officer on the street in a two year project uses 1/24 of his salary, the disbursement only reflects the money that is charged against that particular project, like a withdrawal from the bank. Right?

So, when you look at the disbursement factors that Mr. Gilman talked about that we provided to the Committee, what you're looking at is only the draw down of that money from the bank, so to speak, or from the Federal Treasury that the State or local people undertake. And if they have two years to spend the money, they'll only spend it, in this particular case, 1/24 at a time.

So therefore, you'll see that the money for Pennsylvania as an example for 1987 has essentially been drawn down completely. In 1988 it is partially drawn because things are in progress. In terms of 1989, there's no money that has been drawn down because it's in process. All right?

So therefore, I'm just saying there's a lag and there's three different types of things. I can also provide, of course, much more detail to this particular question in writing.

Mr. COUGHLIN. You are, therefore, saying that we should be seeing quite a bit of activity out there generated by prior years' appropriations and prior years' funding that hasn't yet come to fruition in terms of activity on the home front.

Dr. SMITH. There are many, many activities you're already seeing. Most of the things that people talked about in the hearing today you'll hear about things like DARE, on and on. These are funds that are being provided already to the States. So, there is money out there in the pipeline. But the President has proposed in his 1990 budget $150 million for continuing this particular program——

Mr. COUGHLIN. $150 million.

Dr. SMITH [continuing]. Because he believes it. Yes, sir, for this particular Bureau of Justice Assistance activity.

Mr. COUGHLIN. Am I correct that the funds you show as an award are actually obligated funds despite the fact that they haven't been disbursed?

Dr. SMITH. That's correct.

Mr. COUGHLIN. So, to the extent that we have unobligated balances in any of these accounts, they are over and above the awards made because the awards are obligated. Is that correct?

Dr. SMITH. Well, the obligated funds are in process of being expended and they need to therefore be replaced with certain funds for each fiscal year because each year will be——

Mr. COUGHLIN. All I'm saying is in terms of unobligated balances, they do not include awards that are made but are not disbursed because once an award is made, funds are obligated, right?

Dr. SMITH. That's correct.

Mr. COUGHLIN. So, to the extent you have an unobligated balance, there remain funds to be awarded and to be disbursed down the line?

Dr. SMITH. That's correct, except we have no unobligated balances in terms of the Federal distribution. That has all been obligated to the States.

Mr. COUGHLIN. We thank you very, very much for your testimony and appreciate your coming here. I know it's been a long morning for all of you and I'm sorry that it's dragged on for so long. Thanks for being with us.

Mr. WHITLEY. Thank you, Mr. Chairman.

Mr. COUGHLIN. Adjourn the hearings for the moment.

[Whereupon, at 1:38 p.m., the hearing was adjourned.]

PREPARED STATEMENTS

STATEMENT OF

THE HONORABLE CHARLES B. RANGEL

CHAIRMAN

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

ON

THE DRUG ENFORCEMENT CRISIS AT THE LOCAL LEVEL

MAY 31, 1989

9:00 A.M.

ROOM 340 CANNON HOUSE OFFICE BUILDING

GOOD MORNING.

TODAY THE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL IS PLEASED TO WELCOME A DISTINGUISHED GROUP OF MAYORS AND OTHER PUBLIC OFFICIALS TO TALK ABOUT THE IMPACT OF DRUG ABUSE, DRUG TRAFFICKING AND DRUG-RELATED CRIME ON DRUG ENFORCEMENT AND CRIMINAL JUSTICE AT THE LOCAL LEVEL.

IN RECENT MONTHS, THE MOUNTING WAVE OF DRUG CRIME, DRUG-RELATED MURDERS AND VIOLENCE IN OUR NATION'S CAPITAL HAS CAPTURED FRONT-PAGE HEADLINES. WITH THE MEDIA GLARE FOCUSED ON WASHINGTON, IT HAS BEEN TOO EASY TO LOSE SIGHT OF THE FACT THAT DRUGS ARE NOT JUST A WASHINGTON, D.C., PROBLEM, AND NOT EVEN JUST A BIG CITY PROBLEM ANYMORE. THE SAD TRUTH IS THAT DRUG ABUSE AND DRUG TRAFFICKING ARE OVERWHELMING STATE AND LOCAL GOVERNMENT AND PARALYZING THE CRIMINAL JUSTICE SYSTEM.

TODAY, THE SELECT COMMITTEE WILL BE REVIEWING THE IMPACT OF DRUGS ON OTHER JURISDICTIONS AND, IN PARTICULAR, THE IMPACT ON LAW ENFORCEMENT AND CRIMINAL JUSTICE. WE ALSO WILL LOOK AT A FACET OF THE DRUG PROBLEM IN WASHINGTON THAT HAS BEEN OVERLOOKED BY THE MEDIA AND THE FEDERAL ANTI-DRUG PLAN FOR THE DISTRICT, NAMELY, THE IMPACT OF DRUG CRIME ON THE COURTS. WE WANT TO HEAR THE PROBLEMS THAT DRUGS ARE CREATING FOR LOCAL GOVERNMENTS AND CRIMINAL

JUSTICE AGENCIES, HOW THEY ARE TRYING TO COPE WITH THESE PROBLEMS, AND WHAT MORE NEEDS TO BE DONE.

WE ARE ESPECIALLY INTERESTED IN WHAT THE FEDERAL ROLE WILL BE IN HELPING LOCAL JURISDICTIONS COMBAT DRUG PROBLEMS. A WASHINGTON POST STORY FROM LAST WEEKEND MAKES CLEAR WHY LOCAL GOVERNMENTS NEED FEDERAL HELP AND WHY THE FEDERAL GOVERNMENT HAS A STRONG RESPONSIBILITY TO RESPOND. REPORTING U.S. GOVERNMENT ESTIMATES THAT COCA PRODUCTION IN LATIN AMERICA IS SOARING TO UNPRECEDENTED LEVELS, THREATENING OUR COUNTRY WITH EVEN GREATER AMOUNTS OF COCAINE, THE POST STORY DESCRIBED THE "NEAR BREAKDOWN" OF U.S. ANTI-DRUG POLICY IN LATIN AMERICA. FOUR MONTHS INTO THE BUSH ADMINISTRATION, NEITHER THE PRESIDENT NOR HIS SECRETARY OF STATE HAVE SAID HOW THEY PLAN TO DEAL WITH THIS GRAVE THREAT TO OUR NATIONAL SECURITY. BUT MAKE NO MISTAKE ABOUT IT. THE DRUG CRISIS GRIPPING SO MANY OF OUR CITIES AND COMMUNITIES TODAY STARTS WITH THE MASSIVE ILLICIT PRODUCTION OF COCA AND COCAINE IN LATIN AMERICA.

IN HIS CAMPAIGN AND AFTER TAKING OFFICE, PRESIDENT BUSH PLEDGED TO SUPPORT STATE AND LOCAL LAW ENFORCEMENT. BUT HE ALSO HAS THREATENED TO VETO THE FISCAL YEAR 1989 SUPPLEMENTAL APPROPRIATIONS BILL PASSED BY THE HOUSE LAST WEEK THAT PROVIDES AN ADDITIONAL $125 MILLION FOR STATE AND LOCAL DRUG ENFORCEMENT AS PART OF AN $822 MILLION ANTI-DRUG PACKAGE.

STANDING ON THE STEPS OF THE CAPITOL BEFORE A THRONG OF STATE AND LOCAL LAW ENFORCEMENT OFFICIALS, PRESIDENT BUSH RECENTLY ANNOUNCED A NEW INITIATIVE AGAINST VIOLENT CRIME. WITH DRUGS RESPONSIBLE FOR THE GREATEST INCREASE IN VIOLENT CRIME IN RECENT YEARS, I SUPPORT THE PRESIDENT'S DESIRE TO STOP THE CARNAGE. BUT THE BURDEN OF INVESTIGATING AND PROSECUTING MOST OF THIS DRUG-RELATED VIOLENT CRIME FALLS ON THE SHOULDERS OF STATE AND LOCAL CRIMINAL JUSTICE AGENCIES. YET THE PRESIDENT'S $1.2 BILLION PACKAGE INCLUDES NOT ONE NICKEL FOR LOCAL LAW ENFORCEMENT AND ONLY A MAXIMUM OF $6 MILLION FOR STATES.

IN ANNOUNCING HIS FEDERAL STRATEGY FOR ANTI-DRUG AID TO WASHINGTON, D.C., RECENTLY, NATIONAL DRUG DIRECTOR WILLIAM BENNETT CAUTIONED OTHER LOCAL OFFICIALS AGAINST SEEKING FEDERAL ASSISTANCE. TO DO SO, HE SAID, WOULD BE A CONFESSION OF IRRESPONSIBILITY ON THEIR PART TO DO THE THINGS THEY SHOULD BE DOING FOR THEMSELVES. WELL, BEFORE DIRECTOR BENNETT FORMULATES THE ADMINISTRATION'S DRUG STRATEGY, WE WANT TO KNOW WHAT LOCAL OFFICIALS WOULD TELL HIM THEY NEED TO ENHANCE THEIR ABILITY TO REDUCE DRUG CRIME.

DIRECTOR BENNETT HAS SUGGESTED PRISON "BOOT CAMPS" FOR FIRST-TIME DRUG USERS. THE PRESIDENT'S VIOLENT CRIME PACKAGE CALLS FOR A MASSIVE EXPANSION OF FEDERAL PRISON SPACE. BUT ARE PRISONS AND JAILS THE ONLY ANSWER TO OUR DRUG PROBLEM?

AT AN AVERAGE COST OF $50 A DAY PER INMATE, WE ARE SPENDING OVER $30 MILLION A DAY ON PRISONS AND JAILS THAT ARE LITTLE MORE THAN WAREHOUSES IN WHICH INMATES LEARN HOW TO BECOME BETTER CRIMINALS. WHAT IMPACT WOULD "BOOT CAMPS" HAVE ON LOCAL CRIMINAL JUSTICE AGENCIES, AND WHAT WOULD THEY COST? WHAT PLANS DOES THE ADMINISTRATION HAVE TO HELP STATES AND LOCALITIES PROVIDE PRISON INMATES WITH REHABILITATION, JOB TRAINING, AND OTHER OPPORTUNITIES TO LEARN USEFUL SKILLS SO THEY HAVE SOMETHING TO LOOK FORWARD TO UPON RELEASE OTHER THAN PREYING ON SOCIETY?

WE WANT TO HEAR TODAY WHAT THE JUSTICE DEPARTMENT'S STRATEGY IS TO HELP LOCALITIES MEET THE CRISIS IN LAW ENFORCEMENT CAUSED BY OUR NATIONAL DRUG PROBLEM. WE WANT TO REVIEW THE STATE AND LOCAL DRUG ENFORCEMENT GRANT PROGRAM ENACTED BY CONGRESS IN THE 1986 OMNIBUS DRUG BILL AND REAUTHORIZED IN LAST YEAR'S ANTI-DRUG ABUSE ACT. HOW IS THE JUSTICE DEPARTMENT IMPLEMENTING THIS PROGRAM? IS IT RESPONSIVE TO LOCAL NEEDS? HOW CAN IT BE IMPROVED?

THESE ARE SOME OF THE ISSUES WE PLAN TO EXAMINE THIS MORNING. BEFORE CALLING OUR FIRST PANEL OF WITNESSES, I YIELD TO OTHER MEMBERS OF THE SELECT COMMITTEE WHO WISH TO MAKE OPENING STATEMENTS.

THE UNITED STATES CONFERENCE OF MAYORS
1620 EYE STREET, NORTHWEST
WASHINGTON, D.C. 20006
TELEPHONE (202) 293-7330

President:
ARTHUR J. HOLLAND
Mayor of Trenton
Vice President:
KATHRYN J. WHITMIRE
Mayor of Houston
Past Presidents:
RICHARD L. BERKLEY
Mayor of Kansas City, MO
JOSEPH P. RILEY, JR.
Mayor of Charleston
COLEMAN A. YOUNG
Mayor of Detroit
Trustees:
WILLIAM J. ALTHAUS
Mayor of York
MARION S. BARRY, JR.
Mayor of Washington, DC
JUANITA CRABB
Mayor of Binghamton
RAYMOND L. FLYNN
Mayor of Boston
W. WILSON GOODE
Mayor of Philadelphia
WILLIAM H. HUDNUT, III
Mayor of Indianapolis
JOSEPH R. PAOLINO, JR.
Mayor of Providence
JOHN P. ROUSAKIS
Mayor of Savannah
DOUG SUTHERLAND
Mayor of Tacoma
LOUIS J. TULLIO
Mayor of Erie
GEORGE V. VOINOVICH
Mayor of Cleveland
Advisory Board:
Chair
ROBERT M. ISAAC
Mayor of Colorado Springs
JERRY ABRAMSON
Mayor of Louisville
RICHARD ARRINGTON
Mayor of Birmingham
JOAN W. BARR
Mayor of Evanston
SIDNEY BARTHELEMY
Mayor of New Orleans
TOM BRADLEY
Mayor of Los Angeles
STEVEN B. CARLSON
Mayor of Jamestown, NY
JANICE R. COGGESHALL
Mayor of Galveston
TERRY GODDARD
Mayor of Phoenix
EDWARD KOCH
Mayor of New York
GEORGE LATIMER
Mayor of Saint Paul
SHEILA LODGE
Mayor of Santa Barbara
THEODORE MANN
Mayor of Newton
SUE MYRICK
Mayor of Charlotte
DONNA OWENS
Mayor of Toledo
JAMES P. PERRON
Mayor of Elkhart
JESSIE M. RATTLEY
Mayor of Newport News
CHARLOTTE M. ROTHSTEIN
Mayor of Oak Park, MI
CHARLES ROYER
Mayor of Seattle
F. JOSEPH SENSENBRENNER, JR.
Mayor of Madison
PETE SFERRAZZA
Mayor of Reno
GREG SPARROW
Mayor of DeKalb
NAO TAKASUGI
Mayor of Oxnard
ANDREW YOUNG
Mayor of Atlanta
Executive Director:
J. THOMAS COCHRAN

STATEMENT BY

KATHRYN J. WHITMIRE
MAYOR OF HOUSTON
VICE PRESIDENT OF THE U.S. CONFERENCE OF MAYORS

BEFORE

THE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL
U.S. HOUSE OF REPRESENTATIVES

MAY 31, 1989

CHAIRMAN RANGEL, MR. COUGHLIN, MEMBERS OF THE COMMITTEE, THANK YOU VERY MUCH FOR INVITING ME TO BE HERE TODAY, TO APPEAR BEFORE YOU ON BEHALF OF THE U.S. CONFERENCE OF MAYORS. TOGETHER WITH THE OTHER MAYORS ON THIS PANEL, I AM PLEASED TO BE ABLE TO PROVIDE YOU WITH A STATUS REPORT ON THE WAR ON DRUGS IN OUR CITIES.

BEFORE DOING THIS MR. CHAIRMAN, I WANT TO THANK YOU AND THE OTHER MEMBERS OF THIS COMMITTEE FOR THE OUTSTANDING LEADERSHIP YOU HAVE PROVIDED TO US AND TO ALL AMERICANS IN THIS WAR ON DRUGS. YOUR EFFORTS TO RID THE NATION OF THE DRUG SCOURGE HAVE BEEN HEROIC; YOUR COMMITMENT TO THE PEOPLE OF THIS NATION--PARTICULARLY TO THOSE WHO RESIDE IN OUR CITIES -- HAS BEEN UNFAILING. ON BEHALF OF THE CONFERENCE OF MAYORS, I AM HERE TO REITERATE OUR COMMITMENT TO WORK WITH YOU ON THE DEVELOPMENT OF LEGISLATION THAT WILL ENABLE THIS NATION TO WIN THE WAR ON DRUGS.

THE REPORT FROM URBAN AMERICA IS NOT GOOD. MAJOR CITIES ACROSS THE COUNTRY -- NOT JUST WASHINGTON, D.C. -- EXPERIENCED SIGNIFICANT INCREASES IN HOMICIDES LAST YEAR. BETWEEN 1987 AND 1988, ACCORDING TO RECENT FBI STATISTICS, THE MURDER RATE INCREASED BY AT LEAST SIX PERCENT IN CITIES OVER 50,000 POPULATION (FOR CITIES BETWEEN 250,000 AND 500,000, IT REMAINED AT THE SAME RATE AS IN 1987). NATIONWIDE, THE NUMBER OF VIOLENT CRIMES INCREASED FIVE PERCENT FROM 1987 TO 1988, AND ALL SERIOUS CRIMES ROSE THREE PERCENT IN THE SAME TIME PERIOD.

CRACK COCAINE HAS PLAYED THE CENTRAL ROLE IN THE DESTRUCTION OF YOUNG LIVES, LURING ADOLESCENTS AND EVEN YOUNGER CHILDREN INTO THE DRUG-DEALING BUSINESS, GENERATING GANG ACTIVITIES AND TURNING ONCE-FRIENDLY NEIGHBORHOODS INTO WAR ZONES.

THERE HAVE BEEN MANY INDIVIDUAL TRAGEDIES -- THE HORRIFYING DEATH OF MARK KILROY AT THE HANDS OF MARIJUANA TRAFFICKERS ON THE TEXAS-MEXICO BORDER, THE DEATH OF AN ALEXANDRIA POLICE OFFICER DURING A HOSTAGE SITUATION OUTSIDE A PUBLIC HOUSING UNIT IN WHICH THE POLICE KNEW DRUGS WERE BEING DEALT, AND THE DEATH OF FOUR LAW-ABIDING FAMILY MEMBERS IN A HOUSTON HOUSE FIRE SET BY DRUG ADDICTS SEEKING RETALIATION FOR HAVING BEEN REPORTED TO THE POLICE.

CITIZENS IN AMERICA'S CITIES TODAY ARE BEING RUDELY AWAKENED TO THE DRUG PROBLEM, IF THEY HAD NOT WITNESSED IT IN THEIR NEIGHBORHOODS BEFORE. THEY ARE GALVANIZING INTO NEIGHBORHOOD-LEVEL ORGANIZATIONS TO FIGHT DRUG CRIMES. THEY ARE REACHING OUT TO LOCAL POLICE OFFICERS FOR HELP. AND, THEY ARE ASKING US WHAT THEY CAN DO. MY COLLEAGUES AND I MEET FREQUENTLY WITH SUCH CONCERNED CITIZENS IN OUR CITIES. THEY ARE SCARED AND ANGRY; THEY ARE READY TO GET INVOLVED; AND THEY WANT HELP.

AND WE IN THE NATION'S CITIES ARE DOING EVERYTHING POSSIBLE TO PROVIDE THAT HELP. LAST YEAR ALONE, EXPENDITURES FOR PUBLIC

SAFETY INCREASED BY 32.6 PERCENT IN THE 50 CITIES WITH THE GREATEST FISCAL 1988 REVENUES, ACCORDING TO A SURVEY DONE BY CITY AND STATE MAGAZINE. THAT SURVEY ALSO FOUND THAT THESE CITIES SPENT $11.4 BILLION ON SAFETY, WHICH REPRESENTS 26.1 PERCENT OF THEIR COLLECTIVE GENERAL FUND BUDGETS.

IN HOUSTON, EXPENDITURES DEDICATED SOLELY TO NARCOTICS ENFORCEMENT HAVE INCREASED NEARLY 500 PERCENT SINCE 1982, DURING A TIME WHEN OTHER CITY EXPENDITURES DECLINED OR HELD THE LINE. IN ADDITION, WE KNOW THAT AT LEAST 65 PERCENT OF THE PEOPLE COMMITTING MAJOR NON-DRUG OFFENSES IN HOUSTON WERE ON DRUGS AT THE TIME OF ARREST. THIS MEANS THAT THE BULK OF OUR LAW ENFORCEMENT DOLLARS ARE AT WORK FIGHTING DRUGS AND RELATED CRIMES. WE WILL CONTINUE TO KEEP THIS OUR HIGHEST BUDGET PRIORITY, BUT OUR CITIES CANNOT SHOULDER THIS BURDEN ALONE. THE NEED FOR DIRECT FEDERAL SUPPORT IS ACUTE.

THE SITUATION IN HOUSTON

IN HOUSTON, AS IN OTHER CITIES, WE ARE SEEING SOME SIGNS OF PROGRESS. WE HAVE ACHIEVED SMALL GAINS IN NEIGHBORHOODS WHERE COMMUNITY LEADERS HAVE JOINED POLICE OFFICERS TO WAGE WHAT WE HAVE CALLED A CRACKDOWN ON DRUGS. WE'VE CLEANED DRUG DEALERS OUT OF A PARK AND KEPT IT CLEAN FOR A YEAR. WE'VE ERADICATED A MAJOR DRUG DEALING CENTER IN ABANDONED APARTMENTS, AND HAVE BEGUN TEARING DOWN THE ABANDONED BUILDINGS WHICH PROVIDE SHELTER FOR DRUG ABUSE AND DRUG MARKETS.

BUT HOUSTON IS EXHIBITING OTHER FACETS OF THE DRUG PROBLEM AS WELL. WE MARKET OUR CITY AS A GREAT PLACE TO DO BUSINESS BECAUSE WE HAVE A LARGE PORT AND WE'RE FIRST IN THE COUNTRY FOR TONNAGE OF INTERNATIONAL CARGO. WE HAVE TWO EXCELLENT AIRPORTS, A GOOD HIGHWAY SYSTEM, AND ACCESS TO LATIN AMERICAN MARKETS. THE DRUG TRAFFICKERS HAVE SEEN THIS, AND AS FEDERAL EFFORTS IN FLORIDA HAVE INTENSIFIED, THEY HAVE MOVED WEST.

THERE ARE MANY REASONS FOR THIS INCREASE IN THE TRAFFICKING OF DRUGS THROUGH HOUSTON. THE PRICE OF COCAINE IN HOUSTON HAS DROPPED TO ONE-THIRD OF ITS 1985 VALUE. OVER THE PAST YEAR $18.9 MILLION HAVE BEEN SEIZED THROUGH JOINT MONEY-LAUNDERING INVESTIGATIONS. THE VALUE OF DRUGS SEIZED DURING 1988 WAS NEARLY TWICE THAT OF THE DRUGS SEIZED DURING 1987. WE ARE ARRESTING INCREASING NUMBERS OF MARIJUANA TRAFFICKERS AT OUR AIRPORTS; THE PRODUCTION OF METAMPHETAMINES IS UP. RESEARCHERS FUNDED BY THE NATIONAL INSTITUTE OF DRUG ABUSE REPORT THAT DRUG USERS IN HOUSTON, INTERVIEWED AT SIX-MONTH INTERVALS, TRAVEL ALL OVER THE WORLD IN THE INTERVENING MONTHS.

OUR EFFORTS IN HOUSTON, THROUGH "HOUSTON CRACKDOWN," INVOLVE THE ENTIRE COMMUNITY. WE HOPE TO REDUCE DEMAND, THROUGH PREVENTION AND TREATMENT, AND TO SUPPORT LAW ENFORCEMENT THROUGH CITIZEN INVOLVEMENT, TOUGHER LOCAL AND STATE LAWS, AND EXPANSION OF THE TEXAS PRISON SYSTEM. MORE THAN PRIVATE CITIZENS ARE

INVOLVED IN VARIOUS ASPECTS OF "HOUSTON CRACKDOWN:" THE MEDIA, EDUCATORS, BUSINESS LEADERS. WE ARE EXTREMELY FORTUNATE TO HAVE BIPARTISAN SUPPORT FROM OUR CONGRESSIONAL DELEGATION. THE LEGISLATIVE COMMITTEE OF "HOUSTON CRACKDOWN" IS CHAIRED BY CONGRESSMAN MICKEY LELAND AND INCLUDES ALL SIX MEMBERS OF OUR CONGRESSIONAL DELEGATION. THIS COMMITTEE HAS ALREADY INCREASED HOUSTON'S PROFILE WITH FEDERAL AGENCIES AND THE DIRECTOR OF NATIONAL DRUG CONTROL POLICY. BUT IF WE ARE TO SUCCEED IN OUR EFFORTS IN HOUSTON, THE FEDERAL GOVERNMENT'S CONTRIBUTION TO AND INVOLVEMENT IN OUR PARTNERSHIP MUST BE INCREASED.

IMPLEMENTATION OF THE FEDERAL ANTI-DRUG ABUSE GRANT PROGRAMS

THE ANTI-DRUG ABUSE ACTS OF 1986 AND 1988 REQUIRED THE FEDERAL GOVERNMENT FOR THE FIRST TIME TO APPROACH THE PROBLEMS OF ILLEGAL DRUG TRAFFICKING AND ABUSE IN A COMPREHENSIVE MANNER. THEY STRENGTHENED FEDERAL INTERDICTION AND ENFORCEMENT EFFORTS, STIFFENED MANY FEDERAL PENALTIES AND ESTABLISHED THREE BLOCK GRANT PROGRAMS WHICH PROVIDE FUNDS FOR DRUG EDUCATION, TREATMENT AND ENFORCEMENT PROGRAMS.

YOU ARE WELL AWARE OF SOME OF THE DIFFICULTIES WE HAVE HAD WITH THESE PROGRAMS. THE FUNDS HAVE BEEN SLOW IN COMING TO OUR CITIES, AND OFTEN THEY HAVE NOT GONE TO THOSE AREAS OF GREATEST NEED. YOU TRIED TO MAKE SEVERAL IMPORTANT CHANGES IN THE DRUG ENFORCEMENT GRANT PROGRAM LAST YEAR. WHILE IT WAS NOT POSSIBLE TO ENACT A PROVISION THAT WOULD HAVE PROVIDED DIRECT FUNDING TO LOCAL GOVERNMENTS, TIGHT DEADLINES WERE PLACED ON THE STATES FOR THEIR ACTIVITIES THESE SEEM TO BE MAKING A DIFFERENCE, BUT DIRECT FUNDING WHICH SENDS THE MONEY TO WHERE IT IS NEEDED MOST IN OUR CITIES IS STILL DESPERATELY NEEDED.

IN PREPARATION FOR THIS HEARING, THE CONFERENCE OF MAYORS CONDUCTED A SURVEY TO ASSESS THE CURRENT STATUS OF THE BLOCK GRANT PROGRAMS FOR ENFORCEMENT, TREATMENT AND EDUCATION. IT IS ATTACHED TO MY TESTIMONY, AND I WOULD LIKE TO SUBMIT IT FOR THE RECORD. LET ME NOW PROVIDE YOU WITH SOME OF THE HIGHLIGHTS OF THIS 30-CITY SURVEY:

- MORE THAN TWO OUT OF THREE OF THE SURVEY CITIES BELIEVE THAT THE SYSTEM OF STATE BLOCK GRANTS ESTABLISHED THROUGH THE 1986 ACT IS NOT RESPONSIVE TO THEIR CITY'S NEEDS.
- MORE THAN FOUR OUT OF FIVE OF THE CITIES, IN RESPONDSE TO AN OPEN-ENDED QUESTION, CALLED FOR DIRECT FEDERAL FUNDING OF CITIES, OR FOR A SUB-STATE FUNDING ENTITLEMENT FOR CITIES TO MAKE THE VARIOUS PROGRAMS MORE RESPONSIVE TO THEIR NEEDS.
- MORE THAN THREE OUT OF FOUR CITIES HAVE NEVER PARTICIPATED IN THE DEVELOPMENT OF THE STATE PLAN FOR ANTI-DRUG EDUCATION. ONE-HALF OF THE CITIES GAVE THEIR STATES A POOR RATING FOR ADMINISTRATION OF THE EDUCATION PROGRAM IN TERMS

OF ITS RESPONSIVENESS TO ADDRESSING THEIR LOCAL ILLEGAL DRUG PROBLEM.

- MORE THAN FOUR OUT OF FIVE OF THE CITIES HAVE NEVER PARTICIPATED IN THE DEVELOPMENT OF THE STATE PLAN FOR TREATMENT. SIXTY-EIGHT PERCENT GAVE THEIR STATES A POOR RATING FOR ADMINISTRATION OF THE TREATMENT BLOCK GRANT IN TERMS OF ITS RESPONSIVENESS TO ADDRESSING LOCAL PROBLEMS.
- HALF OF THE CITIES HAVE NEVER PARTICIPATED IN THE DEVELOPMENT OF THE STATE PLAN FOR ENFORCEMENT. FORTY-SIX PERCENT OF THE CITIES GAVE THEIR STATE A POOR RATING FOR ADMINISTRATION OF THE ENFORCEMENT BLOCK GRANT, IN TERMS OF ITS RESPONSIVENESS TO ADDRESSING LOCAL PROBLEMS.
- FOR THE FY89 ENFORCEMENT ASSISTANCE BLOCK GRANTS:
    - FIFTY-NINE PERCENT OF THE CITIES HAVE NOT HAD AN OPPORTUNITY TOS REVIEW THE STATE PLAN.
    - SIXTY-FOUR PERCENT OF THE CITIES HAVE NOT HAD AN OPPORTUNITY TO PARTICIPATE IN THE STATE PLANNING PROCESS.
    - SEVENTY-THREE PERCENT OF THE SURVEY CITIES DO NOT KNOW HOW MUCH FUNDING THEY WILL GET UNDER THE PLAN.
    - FIFTY-NINE PERCENT OF THE CITIES DO NOT HAVE A SAY IN DECIDING HOW THE FUNDS WHICH THEY RECEIVE WILL BE SPENT.
    - TWENTY-NINE PERCENT OF THE CITIES SAY THE FUNDS ARE NOT BEING SPENT FOR ACTIVITIES WHICH ARE CONSISTENT WITH LOCAL DRUG ENFORCEMENT PRIORITIES.
- TWENTY-THREE PERCENT OF OUR SURVEY CITIES HAVE YET TO RECEIVE ANY FUNDING FOR ANY YEAR THROUGH THE ENFORCEMENT ASSISTANCE BLOCK GRANT PROGRAM.

WHILE THE STATE BLOCK GRANT SYSTEM FOR NARCOTICS ENFORCEMENT FUNDING IS HELPFUL IN ADDRESSING STATEWIDE CONCERNS, IT FALLS FAR SHORT OF ASSISTING US IN THE CITIES, WHERE THE NATION'S DRUG PROBLEMS ARE MOST INTENSE.

IN TEXAS, FOR EXAMPLE, OUR DRUG PROBLEM IS MULTI-FACETED. WE SHARE A LONG BORDER WITH MEXICO. WE HAVE VAST RURAL AREAS WHERE DRUGS CAN BE SAFELY MANUFACTURED AND WHERE EVERY OFFICER IS KNOWN ON A FIRST-NAME BASIS, MAKING UNDERCOVER WORK IMPOSSIBLE. IN THIS SAME STATE IS THE FOURTH LARGEST CITY IN THE COUNTRY -- A CITY WHICH IS RAPIDLY BECOMING A MAJOR NARCOTICS TRAFFICKING CENTER. AN UNDER-FUNDED STATE BLOCK GRANT CANNOT ADDRESS THIS BROAD RANGE OF PROBLEMS.

THERE IS STILL A CLEAR NEED FOR CHANGES TO THE FEDERAL PROGRAM -- CHANGES WHICH ENSURE THAT FUNDS ARE PROVIDED TO THOSE AREAS OF GREATEST NEED, AND WITH ALL POSSIBLE SPEED. THE CUMBERSOME GRANT PROGRAM WHICH WAS ESTABLISHED DOES NOT RESPOND TO THE URGENCY OF THE SITUATION WHICH WE FACE IN OUR CITIES. WE LOOK FORWARD TO WORKING WITH YOU TO RECTIFY THIS SITUATION.

THE CONFERENCE OF MAYORS' NATIONAL ANTI-DRUG STRATEGY

THE CONFERENCE OF MAYORS HAS DEVELOPED AND ADOPTED A COMPREHENSIVE NATIONAL ANTI-DRUG STRATEGY. IT WAS FIRST CONCEIVED BY MAYORS AND POLICE CHIEFS REPRESENTING 100 OF THE NATION'S MAJOR CITIES WHO GATHERED IN WASHINGTON IN APRIL OF 1988 FOR THE FIRST NATIONAL CONFERENCE ON CRIME. IT WAS SUBSEQUENTLY EXPANDED AND ADOPTED AT THE 56TH ANNUAL CONFERENCE OF MAYORS, HELD LAST YEAR. THE MAYORS AND POLICE CHIEFS IN ATTENDANCE AT THE SECOND NATIONAL CONFERENCE ON CRIME AND DRUGS, HELD THIS FEBRUARY IN WASHINGTON, ADOPTED A SUPPLEMENT TO THE POLICY. IT WILL GO TO THE ANNUAL MEETING OF THE CONFERENCE OF MAYORS, SCHEDULED TO BEGIN IN CHARLESTON IN JUST OVER TWO WEEKS. A COPY OF OUR STRATEGY IS ALSO ATTACHED TO MY TESTIMONY, AND I REQUEST THAT IT BE INCLUDED IN THE RECORD.

WE CALL FOR A UNIFIED NATIONAL STRATEGY FOR EDUCATION AND REHABILITATION PROGRAMS AND FOR CONTROL OF THE FLOW OF ILLEGAL DRUGS, A STRATEGY WHICH INCLUDES:

- THE DECLARATION OF ILLEGAL DRUGS AS ONE OF THIS NATION'S MAJOR FOREIGN POLICY CONCERNS, AND THE DENIAL OF FOREIGN AID TO ANY ILLEGAL DRUG SOURCE COUNTRY WHICH FAILS TO COOPERATE SATISFACTORILY WITH OUR GOVERNMENT IN CURBING ITS ILLEGAL DRUG EXPORTS TO OUR NATION.

- AN IMPROVEMENT IN THE INTERDICTION OF ILLEGAL DRUGS BEFORE AND AS THEY ENTER THE COUNTRY THROUGH STRATEGIES WHICH INCLUDE THE USE OF THE MILITARY IN ILLEGAL DRUG INTERDICTION OUTSIDE OF U.S. LAND AREA, THE PROVISION OF NEEDED EQUIPMENT, AND THE DEVELOPMENT OF NEW TECHNOLOGIES WHICH INCREASE THE SUCCESS OF THESE EFFORTS.

- A DRAMATIC INCREASE IN THE FEDERAL FUNDING AVAILABLE TO LOCAL LAW ENFORCEMENT, AND THE PROVISION OF THOSE FUNDS DIRECTLY TO CITIES, WITHOUT REQUIRING MATCHING FUNDS;

- AN INCREASE IN THE JAIL AND PRISON SPACE AVAILABLE THROUGH INCREASED FEDERAL FUNDING FOR JAIL CONSTRUCTION, AND THE USE OF AVAILABLE, APPROPRIATE FEDERAL INSTALLATIONS.

- DEVELOPMENT OF A FEDERAL, STATE AND LOCAL PARTNERSHIP TO PROVIDE DRUG TREATMENT TO ANYONE SEEKING ACCESS TO IT.

THE FOLLOWING PROVISIONS WERE ADDED BY THE MAYORS AND POLICE CHIEFS THIS YEAR:

- THE NATIONAL WAR ON DRUGS MUST BE OFFICIALLY DECLARED. THE FEDERAL GOVERNMENT MUST MOBILIZE ACCORDINGLY, MUST UNDERTAKE THE NECESSARY STRATEGIC PLANNING, AND MUST COMMIT THE RESOURCES NEEDED TO WIN THIS WAR.

- THE MANUFACTURE AND IMPORTATION OF SEMI-AUTOMATIC ASSAULT WEAPONS MUST BE BANNED. CONGRESS SHOULD REVERSE ITS POSITION ON THE BRADY AMENDMENT.

- A DIRECT FEDERAL-CITY RELATIONSHIP MUST BE INSTITUTED IN THE FEDERAL ANTI-DRUG GRANT PROGRAMS TO MAKE SURE THAT THE FUNDS WILL BE USED QUICKLY AND EFFECTIVELY IN THE AREAS WHERE THEY ARE NEEDED MOST.

- FUNDING FOR THE VARIOUS COMPONENTS OF THE CRIMINAL JUSTICE SYSTEM -- IN PARTICULAR, PROSECUTIONS, COURTS AND CORRECTIONS -- MUST BE INCREASED SO THAT PENALTIES FOR POSSESSION, TRAFFICKING AND OTHER CRIMES CAN BE STRICTLY ENFORCED.

- THE FEDERAL GOVERNMENT MUST RECOGNIZE ITS RESPONSIBILITY FOR ADDRESSING ADEQUATELY THE PROBLEMS OF POVERTY, UNEMPLOYMENT, DISINTEGRATING NEIGHBORHOODS, AND OTHER SOCIAL ILLS--PROBLEMS WHICH ARE THE ROOT CAUSES OF THE INSATIABLE DEMAND FOR DRUGS IN THIS NATION.

- A HIGHER PRIORITY MUST BE GIVEN TO DRUG ABUSE EDUCATION AT ALL LEVELS OF THE EDUCATION SYSTEM. THE PRESIDENT SHOULD LEAD A NATIONAL CAMPAIGN TO IMPRESS UPON THE ENTIRE POPULATION THE SERIOUSNESS OF THE NATIONAL DRUG CRISIS AND ITS POTENTIAL EFFECT ON EVERY CITIZEN IN EVERY SEGMENT OF SOCIETY.

CHAIRMAN RANGEL, MEMBERS OF THE COMMITTEE, WAGING -- AND WINNING -- THE WAR ON DRUGS IS THE TOP PRIORITY OF THE CONFERENCE OF MAYORS. WE WILL DO EVERYTHING IN OUR POWER TO MAKE SURE THAT OUR NATION, AND PARTICULARLY OUR CITIES, HAVE ALL OF THE RESOURCES AND WEAPONS REQUIRED TO FIGHT THIS WAR SUCCESSFULLY. CRITICAL TO THE SUCCESS OF OUR EFFORTS IS THE PARTNERSHIP WHICH AMERICA'S MAYORS HAVE FORMED WITH THE MEMBERS OF THIS COMMITTEE AND THE LEADERSHIP WHICH YOU HAVE EXHIBITED. WE ARE AVAILABLE TO WORK WITH YOU, ANYTIME, ANYWHERE.

A STATUS REPORT ON THE IMPLEMENTATION OF ANTI-DRUG ABUSE ACT BLOCK GRANT PROGRAMS IN CITIES

A 30-CITY SURVEY

MAY 31, 1989

THE UNITED STATES CONFERENCE OF MAYORS

TABLE OF CONTENTS

SUMMARY 1

INTRODUCTION 3

CITY PARTICIPATION IN THE DEVELOPMENT OF THE STATE PLAN 4

THE GRANT-IN-AID SYSTEM — RESPONSIVE TO CITY NEEDS? 5

STATE ADMINISTRATION OF THE BLOCK GRANT PROGRAMS 8

CITY INVOLVEMENT IN THE FY89 ENFORCEMENT ASSISTANCE BLOCK GRANTS 9

FEDERAL ANTI-DRUG ENFORCEMENT FUNDS RECEIVED BY THE SURVEY CITIES 11

CITIES RESPONDING TO THE SURVEY 12

SURVEY INSTRUMENT: IMPLEMENTATION OF THE ANTI-DRUG ABUSE ACT GRANT PROGRAMS 13

SUMMARY

The Anti-Drug Abuse Act of 1986 marked the first time that the national government approached the problems of illegal drug trafficking and abuse in a comprehensive manner. Among its many provisions was the establishment of three new block grant programs for enforcement, education and treatment. These programs provided funds in block grants to the states, with the requirement that a large portion of the funds be passed through to local jurisdictions and agencies. A survey done by the Conference of Mayors in October 1987, exactly one year after the Act was signed into law, showed that only a small portion of the funds had been provided to local agencies. The purpose of this report is to update the 1987 survey by assessing the current status of implementation of the three block grant programs and the degree to which they are responsive to local needs.

Below are the findings for the 30 cities surveyed during May by the Conference.

CITY PARTICIPATION IN DEVELOPMENT OF THE STATE PLAN

- Just under one in four of the survey cities have participated in the development of their state's plan for anti-drug education; 76 percent have never participated.
- Just under one in five of the cities have participated in the development of their state's plan for treatment; 81 percent have never participated.
- One-half of the cities have participated in the development of their state's plan for enforcement; half have never participated.

THE GRANT-IN-AID SYSTEM — RESPONSIVE TO CITY NEEDS?

- More than two-thirds of the cities do not believe that the grant-in-aid system (primarily state block grants) established through the Anti-Drug Abuse Act of 1986 is responsive to their needs; thirty-one percent believe it is.
- More than four out of five of the cities responding to an open-ended question stated that direct federal funding of cities, or a sub-state funding entitlement for cities, would make the Anti-Drug Abuse Act programs more responsive to their needs.

STATE ADMINISTRATION OF THE BLOCK GRANT PROGRAMS

- Rating state administration of the anti-drug block grant programs:
    - For education, one-half of the cities gave their states a poor rating and 29 percent gave a good rating.

- * For treatment, 68 percent of the cities gave their states a poor rating and 14 percent gave a good rating.
- * For enforcement, 46 percent of the cities gave a poor rating and 37 percent gave a good rating.

CITY INVOLVEMENT IN THE FY89 ENFORCEMENT ASSISTANCE BLOCK GRANTS

- o Forty-one percent of the survey cities have had an opportunity to review the state plan; the rest have not.
- o Thirty-six percent of the cities have had an opportunity to participate in the planning process; the rest have not.
- o Twenty-seven percent of the survey cities know how much funding they will receive under the plan; the rest do not.
- o Forty-one percent of the cities have a say in deciding how the funds which they receive will be spent; the rest do not.
- o Seventy-one percent of the cities say the funds are being spent for activities consistent with their city's drug enforcement priorities; the rest say they are not.

FEDERAL ANTI-DRUG ENFORCEMENT FUNDS RECEIVED BY THE CITIES

- o Twenty-three percent of the survey cities have yet to receive any funding for any year through the enforcement assistance block grant program.

INTRODUCTION

The Anti-Drug Abuse Act of 1986 marked the first time that the national government approached the problems of illegal drug trafficking and abuse in a comprehensive manner. It strengthened critical federal interdiction efforts, such as those of the Customs Service, the Coast Guard and the military, and it stiffened many federal criminal penalties for drug-related crimes. Of particular importance was the assistance to be provided to state and local governments for drug education, treatment and enforcement efforts.

When the 1986 Act was debated in Congress it was in the context of getting help to the cities, to the trenches in the war on drugs. What actually passed the Congress was a bill which provided funds primarily to the states, with the requirement that a good portion be passed through to local jurisdictions and agencies.

A survey done by the Conference of Mayors in October 1987, exactly one year after the Act was signed into law, showed that only a small portion of the funds actually had been provided to local programs in the survey cities in these areas and that the grant-in-aid system (state block grants) was not responsive to the needs of two-thirds of the cities surveyed.

The Anti-Drug Abuse Act of 1988 amended the enforcement and treatment block grants. In the enforcement area, deadlines for the submission of the state plan, federal review of the plan and disbursement of the funds within the state were legislated. In the treatment and rehabilitation area, the separate substance abuse block grant was combined with the existing Alcohol, Drug Abuse and Mental Health Block grant.

The purpose of this report is to assess the status of implementation of the three block grant programs. A questionnaire was sent to the Conference of Mayors' leadership on this issue: the members of the Executive Committee, Advisory Board and Task Force on Drug Control — 46 mayors in all. Responses were received from 30 of them, 65 percent. The information which they provided is summarized on the following pages.

The reader should note that in no case do the percentages reported for a survey question include a city unable to respond to that question.

CITY PARTICIPATION IN THE DEVELOPMENT OF THE STATE PLAN

Less than one in four of the survey cities have participated in the development of their state's plan for anti-drug education; 76 percent of the cities have never participated. A Newton official served on the state planning board. Birmingham and Louisville participated through their school system. Citizens Against Substance Abuse in Cincinnati was able to give ideas. Washington, D.C., which performs the functions of both a state and a city for the block grant programs, was the only other city to have participated in the state planning process.

Less than one in five of the survey cities have participated in the development of their state's plan for treatment; 81 percent have never participated. Houston officials had "verbal interaction with staff of the Texas Commission on Alcohol and Drug Abuse." Louisville's involvement was through its membership on the board of directors of Seven Counties Services, Inc. and the Jefferson Alcohol and Drug Abuse Center. Philadelphia said it was able to comment on the state plan, "but with little or no influence." Other cities which participated were Washington, D.C. and Providence.

One-half of the survey cities have been involved in the development of their state's plan for enforcement; 54 percent have never been involved. Charlotte's Assistant Police Chief serves on the Governor's Crime Commission. The City of Phoenix is a member of the Arizona Criminal Justice Commission. Providence's police department was involved through the City-State Task Force on Drug Crimes. Through its Criminal Justice Coordinating Commission, the City of Philadelphia submitted a strategy for state and federal assistance in the first and third years of the program, but did not serve on any formal state planning body. Indianapolis police submitted a funding plan to the state criminal justice institute. Houston provided testimony at a public hearing, and written suggestions were submitted by the city government and its state representatives. New Orleans officials responded to a state questionnaire.

THE GRANT-IN-AID SYSTEM — RESPONSIVE TO CITY NEEDS?

Officials in more than two out of three of the survey cities do not believe that the grant-in-aid system (primarily state block grants) established through the Anti-Drug Abuse Act of 1986 is responsive to their city's needs. Thirty-one percent of the survey cities believe the anti-drug grant-in-aid system is responsive to their needs.

Legislative Changes

More than four out of five of the cities responding to an open-ended question stated that direct federal funding of cities or a sub-state funding entitlement for cities would make the Anti-Drug Abuse Act programs more responsive to their needs. Among their comments:

Boston: "Provide a higher portion of funds directly to localities with the greatest need (based on crime statistics, for example)."

Colorado Springs: "Requirement for allocation to cities over 250,000 population based on proportion of their criminal justice expenditures."

Detroit: There should be "additional funding made available to local governments in the form of federal discretionary grants. In many instances a local government may have a worthwhile proposal that does not fit the parameters of the statewide priority areas." There should be "amendments that would send anti-drug abuse act resources directly to cities that have the problems in concentration."

Erie: "Legislation in the future should include direct funding to the municipalities. The present method is not working in this area. Although important for state programs, this funding is essential at the municipal level. Separate funding should be made available to each entity."

Houston: "Legislation should allow for direct funding to cities so that local needs and priorities are addressed."

Jamestown: "Monies should be made available to cities of all sizes directly from the U.S. government."

Kansas City: "Direct funding of cities."

Louisville: "Passage of 'entitlement provisions' which would allow large cities to apply directly to the federal government for funding under the Anti-Drug Abuse Act."

New Orleans: "There is a need for some direct entitlement programs in education, treatment and enforcement in order to speed up the process, minimize bureaucratic layers and to ensure that cities benefit from education and treatment funds for which we are currently out of the loop."

New York City: "Direct entitlement grants for major cities based on extent of drug problem and resources needed to address those problems.

Philadelphia: "1)Entitlement of a guaranteed percentage of the funds based upon percent of the drug crime problem and criminal justice expenditures. 2)Full funding of state and local law enforcement at the authorized level. 3)Need to get funds awarded within six months of the beginning of the federal fiscal year."

Phoenix: "Direct federal funding to local governments. Increase funding levels to support law enforcement efforts. Revise the funding formula based on the demonstrated needs of substance abuse in each state instead of total population of the states."

San Diego: "Drop the cash match requirement, and the funds should go directly to cities."

Trenton: "The Act should be amended to direct funding to the local jurisdictions without passing through the state government."

Five cities — Binghamton, Charleston, Detroit, Philadelphia, and Phoenix — specifically called for an increase in federal enforcement funds.

Administrative Changes

The city officials also described administrative changes which would make the anti-drug programs more responsive to their needs. Five each called for:

- a requirement that the states include local governments in their planning and decision-making process;
- better provision of information by the states about the availability of funding; and
- reduced paperwork requirements by the states.

Among the cities' comments:

Birmingham: "Mandate inclusion of local agencies in state decisions."

Boston: "Improve mechanism for notifying localities of funding to be passed through the State. Enforce provisions of the law which direct states to distribute funds to areas of greatest need."

Charlotte: "Grant funding requires a tremendous amount of paperwork. This is not a major problem for larger cities that have the administrative staff to prepare grant applications and monitor the progress of the grant. It can, however, be a burden for smaller jurisdictions."

Cincinnati: "It is hard for us to know how to apply for funds. All funds seem to stop in Columbus with state government."

Colorado Springs: "Requirement that the state involve cities over 250,000 population in developing and approving the state plan."

Detroit: "Require involvement in the state's plan by cities where there is a concentration of drug abuse."

Indianapolis: "Broader notification should be made to local elected officials of the availability of drug prevention money."

Miami: "A requirement that major cities be involved in the creation of the state grant plan."

New Orleans: "State level involvement in the allocation process, however, can subject the cities to additional regulations, special conditions and other constraints which can weigh down the process. The City does not participate in a statewide planning process for education and treatment funding and must, therefore, rely upon public notices of fund availability in order to submit proposals."

Philadelphia: "Administrative directives which support federal mandate to get funds out within six months of the beginning of the federal fiscal year....There is far too much paper work involved in reporting the many categorical initiatives. Reporting requirements should be reviewed with an eye toward reducing them. Reduction of categorical initiatives would also facilitate a quicker response to problems identified by the local planning area."

Phoenix: "This Act would be more responsive to the City of Phoenix' needs if information related to the extent of funding availability, the application process, funding distribution dates and feedback relative to application review is communicated early in the review process."

Saint Paul: "Most grants...require compiling vast amounts of information in a short period of time. More time must be given to applicants to fulfill requirements, and those requirements should be specific."

San Diego: "Have representation on the state's Office of Criminal Justice Planning Advisory Committee."

York: "Currently all funds are administered and controlled by the county district attorney's office. Funding and grant program should be made available to local police departments with full-time drug enforcement programs."

STATE ADMINISTRATION OF THE BLOCK GRANT PROGRAMS

The city officials were asked to rate their state's administration of the block grant programs for education, treatment and enforcement in terms of its responsiveness to addressing the illegal drug problems in their city. The rating was on a scale of one to five, with one being poor and five excellent. It should be noted again that the District of Columbia performs both city and state level functions in the administration of the block grant programs.

For education programs, one-half of the responding cities gave their states a poor rating (a rating of one or two on the scale). Twenty-one percent of the cities gave their state a rating of three. Twenty-nine percent of the cities rated their state's administration of the education block grant program as good (four or five on the scale).

For treatment programs, 68 percent of the cities gave their states a poor rating of one or two. Fourteen percent of the cities rated their states' administration of the treatment block grant as good (a rating of four or five). Eighteen percent of the cities gave their states a rating of three for administration of the treatment block grant.

In the enforcement area, 46 percent of the cities gave their states a poor rating (of one or two) for block grant administration. Seventeen percent rated their states' administration of the enforcement block grant as a three. Thirty-seven percent of the cities gave their states a good rating (four or five) indicating their administration of the enforcement block grant was responsive to addressing the illegal drug problem in their city.

CITY INVOLVEMENT IN THE FY89 ENFORCEMENT ASSISTANCE BLOCK GRANTS

The survey cities were asked to describe their involvement in and knowledge and assessment of their state's FY89 plan for use of the law enforcement assistance block grant. Among the survey cities:

- Forty-one percent have had an opportunity to review the state plan; 59 percent have not. Comments:
  - Boston: The "city was able to review the state plan after it was submitted."
  - New York City: "There was "insufficient opportunity to review plan prior to submission.
- Thirty-six percent have had an opportunity to participate in the planning process; 64 percent have not. Comments:
  - Boston: The "police commissioner was mailed a survey. However, a survey which gives equal weight to all cities, despite population, has little merit."
  - Houston: "Participation was limited to testimony provided at one public hearing that was hastily called so that the state's plan could be submitted later in the month."
  - New York City: It was "limited. (We) responded to a survey regarding the strategy."
- Twenty-seven percent know how much funding their city will receive under the plan; the rest do not. Comments:
  - Detroit officials explained that funding is based on competitive applications to the state.
  - Houston: "Drug funds are distributed on a competitive basis; no allowances are made for targeting funds to the areas experiencing the greatest drug problems."
  - Seattle: "We know how much money will come to the city because it doesn't get any."
- Forty-one percent have a say in deciding how the funds which come to the city will be spent; the rest do not. Comments:
  - Detroit: "We will have a say in the use of the funds if the city's application is accepted by the state."
  - Boston: "To date Boston has not had a say in deciding how funds coming to Boston will be spent. However, staff of the Police Department and the Mayor's Office have been working to open lines of communication with the State to prevent a repeat of problems in the past."

- Houston: "The state has established a priority for interjurisdictional task forces."

- New York City: The "City did not participate in State executive/legislative discussions concerning authorized programs. The City was given wide latitude in allocating federal funds to specific agencies."

- Philadelphia: "There is no provision for Philadelphia to make its own determination, only to advise the state. The state makes the final decision as to what the funding priorities are."

o Seventy-one percent of the cities say the funds are being spent for activities consistent with their city's drug enforcement priorities; 32 percent say they are not. Comments:

- Boston: "In the past, funds have not been earmarked for activities consistent with the city's drug enforcement priorities....However, efforts are underway to open the dialogue and work more closely with the State to better target federal dollars earmarked for Boston this year."

- Colorado Springs: From a May 4, 1989 letter from that city's Chief of Police to the State Division of Criminal Justice when the city's application for $52,581 in funding for a DARE program was denied:

  > "We selected DARE from the list of approved program areas cited in the RFP. The drug demand reduction objective of the DARE meets our local jurisdiction's needs, and reflects current national drug control strategies....We view the denial of our request for a proven demand reduction program as a penalty for already having enforcement programs in place."

- Houston: "To a large extent, yes. The City of Houston's law enforcement priorities include focusing on street and consumer-level dealers; drug buyers and consumers and mid-level and major traffickers. The state's plan appears consistent with these goals."

- Philadelphia: "What funds we do get are pretty much in line with our priorities."

FEDERAL ANTI-DRUG ENFORCEMENT FUNDS RECEIVED BY THE SURVEY CITIES

The cities were asked to indicate the amount of anti-drug enforcement funding the city government had received in 1987 and 1988 and expects to receive in 1989. Seven of the cities — Binghamton, Erie, Jamestown, Newton, Santa Barbara, Seattle and York — report that they have received no funding thus far through the anti-drug enforcement grant program. The table below shows the amount of funds the survey cities received in 1987 and 1988 and expect to receive in 1989.

FUNDING IN DOLLARS

CITY	1987	1988	1989
Binghamton	0	0	0
Boston	131,187	181,600	
Charleston	0	35,148	21,000
Charlotte		(156,000 for three years)	
Colorado Springs	86,000	11,250	0
DeKalb	0	0	7,000
Detroit	0	303,446	
Erie	0	0	0
Houston	200,000	0	(1,200,000)
Indianapolis	536,251	279,156	
Jamestown	0	0	0
Kansas City	465,000	64,000	
Louisville	254,403	172,673	
Miami	0	350,000	0
New Orleans	544,724	168,176	328,556
Newton	0	0	
New York City	4,006,946	957,280	2,583,644
Philadelphia	2,250,000	1,800,000	
Phoenix		327,100	219,878
Saint Paul	125,394	37,618	
San Diego	753,515	355,415	513,875
Santa Barbara	0	0	(20,296)
Seattle	0	0	0
Trenton	32,000	0	0
Washington, D.C.	1,505,889	2,198,000	2,153,863
York	0	0	0

( ) = amount applied for

CITIES RESPONDING TO THE SURVEY

CITY	POPULATION
Binghamton, NY	52,910
Birmingham, AL	227,510
Boston, MA	573,600
Charleston, SC	68,900
Charlotte, NC	352,070
Cincinnati, OH	369,750
Colorado Springs, CO	272,660
DeKalb, IL	31,570
Detroit, MI	1,086,220
Elkhart, IN	44,180
Erie, PA	115,270
Houston, TX	1,728,910
Indianapolis, IN	719,820
Jamestown, NY	34,710
Kansas City, MO	441,170
Louisville, KY	286,470
Miami, FL	373,940
New Orleans, LA	554,500
New York City, NY	7,262,700
Newton, MA	82,140
Philadelphia, PA	1,642,900
Phoenix, AZ	894,070
Providence, RI	157,200
Saint Paul, MN	263,680
San Diego, CA	1,015,190
Santa Barbara, CA	79,290
Seattle, WA	486,200
Trenton, NJ	91,160
Washington, D.C.	626,000
York, PA	44,430

City____________________

IMPLEMENTATION OF THE ANTI-DRUG ABUSE ACT GRANT PROGRAMS

1. Please indicate on the chart below if your city government has been involved in the development of your state's anti-drug abuse plans for education, treatment or enforcement If yes, please describe the type of involvement (i.e. served on planning board, submitted suggestions for state plan, etc.), and the specific local agency that was involved.

	Yes	No	Type of Involvement	Agency Involved
Education				
Treatment				
Enforcement				

2. Do you believe that the grant-in-aid system (primarily state block grants) established through the Anti-Drug Abuse Act of 1986 is responsive to your city's needs? Yes_____ No_____

A. Please describe any legislative amendments that would make the Act more responsive to your needs.

B. Please describe any administrative changes that would make the Act more responsive to your needs.

3. Using the chart below, please rate your state's administration of the block grant programs for education, treatment and enforcement in terms of its responsiveness to addressing the illegal drug problem in your city.

Education Programs	1 2 3 4 5 Poor Excellent
Treatment Programs	1 2 3 4 5 Poor Excellent
Enforcement Programs	1 2 3 4 5 Poor Excellent

4. Your state has submitted its plan for use of the funds available in FY89 under the anti-drug law enforcement assistance block grant to the Bureau of Justice Assistance.
   a. Have you had an opportunity to review the plan?
   Yes_____ No_____ Comments.

   b. Did your city have an opportunity to participate in the planning process?
   Yes_____ No_____ Comments.

   c. Do you know how much funding will come to your city under the plan?
   Yes_____ No_____ Comments.

   d. Did your city have a say in deciding how those funds which come to your city will be spent?
   Yes_____ No_____ Comments.

   e. Are the funds being spent for activities consistent with your city's drug enforcement priorities?
   Yes_____ No_____ Comments.

5. Federal funds have been available for anti-drug enforcement programs during fiscal years 1987, 1988, and 1989. Please indicate the amount of funding your city government received in 1987 and 1988 and expects to receive during 1989.
   1987 $____________________
   1988 $____________________
   1989 $____________________

NAME AND TELEPHONE NUMBER OF PERSON COMPLETING FORM

____

THE UNITED STATES CONFERENCE OF MAYORS

ARTHUR J. HOLLAND, MAYOR OF TRENTON
PRESIDENT

KATHRYN J. WHITMIRE, MAYOR OF HOUSTON
VICE PRESIDENT

* * *

EDWARD I. KOCH, MAYOR OF NEW YORK CITY
MAUREEN O'CONNOR, MAYOR OF SAN DIEGO
CO-CHAIRS, TASK FORCE ON DRUG CONTROL

* * *

J. THOMAS COCHRAN, EXECUTIVE DIRECTOR

1620 Eye Street, N.W.
Washington, D.C. 20006
(202) 293-7330

The Testimony of Mayor W. Wilson Goode
City of Philadelphia

before the

U.S. House of Representatives
Select Committee on Narcotics Abuse and Control

Washington, D.C.
May 31, 1989

Mr. Chairman, once again I come before you to apprise this Committee and this nation of the crisis we currently face - the crisis of drug abuse and crime.

Today, we , as a nation, are in the midst of one of the most critical periods in our history. This is a time when our future is threatened by ever-present drugs in our homes, on our streets, and in our communities. It is a time when drug addiction has injected our society with a social and medical epidemic which knows no state boundaries, nor racial boundaries, nor economic boundaries.

However, some people would have us believe that the problem is isolated to Washington, D.C., that it is unique to a majority Black populated city, that it is severe only in the underbelly of the nation's capital.

This type of propaganda , this type of misinformation and stereotyping is dangerous. It is an attempt to portray a national, indeed an international, problem as merely local. It is an attempt to relegate a social problem to a mere problem of a race.

The problem we face is global in scope. The location may vary; the numbers may vary; but the problem is the same. It spans from Washington, D.C. to Washington state, and from Philadelphia, Pennsylvania to Philadelphia, Mississippi. Its infecting arms reach from Columbia, South America to our cities like Columbia, South Carolina.

Our cities are being infected and affected socially,medically, and financially. In Philadelphia, we have experienced the brutal reality of the effects. Narcotics arrests in Philadelphia have increased by 89% since 1980 (Task Force Report, p.10). Through a random urinalysis testing program , we have found that 80% of all persons arrested for any crime tested positive for drug use, with 70% of all those arrested testing positive for cocaine use alone. (Task Force Report, p.9.)

Drug abuse and drug trafficking play a major role in other crimes. Drug traffickers often use violence to control and expand their trade, and addicted users commit more burglaries, robberies and assaults in "feeding" their habit. In 1987 alone, more than half of the 355 homicides in Philadelphia were drug related.

The increase in drug arrests also impacts on the judicial system. Drug cases in the Common Pleas Court have increased by 736% since 1980. Drug cases in the Municipal Court have increased by 93% since 1980, and the Juvenile Court has experienced an 80% increase in cases since 1980. (Task Force Report, p.11)

The dramatic increase in drug arrests and cases has impacted on the existing operations of the Police, District Attorney, Public Defender, and courts.

It costs the City of Philadelphia approximately $69.00 per day - that is, $25,195.00 per year to house, feed and care for an inmate in the Philadelphia County jail. If we were to calculate the cost to process a drug offender, we would have to include the cost of the courtroom, court personnel, prosecution and defense personnel, police witnesses, sheriff's witnesses, sheriff's personnel, and the significant amount of support personnel for all of these offices. The longer and more complex the case, the more costly it becomes.

In Philadelphia, twenty-five percent (25%) of the City's budget of $2 billion goes for criminal justice. Of that amount (which is $500 million), approximately $125 million goes for judicial expenditures.

Not only is the drug problem costly to the city , but it is costly in terms of human resources . We have no precise estimates locally on the cost of incarceration in terms of lost productivity. However, if you figure the cost in lost wages, legal expenses, costs to the family of the offender, and the medical expenses, lost wages and other costs to the victim, one crime can literally cost thousands of dollars. The more serious the crime, the higher the cost.

To further demonstrate the impact of the drug problem on our criminal justice system, we need only look at the data. Ten years ago, there were 57,137 criminal cases on file in the Municipal and Common Pleas Courts, of which 50,231 were new cases filed in 1978. In contrast, in 1988 there were approximately 100,000 criminal cases on file in those same courts, of which almost 83,000 were new cases filed in 1988. In 1980, 3.1% or 239 of the 7, 498 cases disposed in Common Pleas Court that year were drug cases. In contrast, in 1988, 19.3% or 2,606 of the 13,505 cases disposed that year in the same court were drug cases. In 1980, 10.9% or 4,663 of the 42,483 criminal cases disposed in Municipal Court that year were drug cases. In contrast, in 1988, 22.5% or 9,564 of the 42,474 misdemeanor and felony cases disposed in Municipal Court that year were drug cases.

With such drastic increases, the factor of recidivism must be examined. The Department of Philadelphia Prisons estimates that 70% of their inmate population are repeat offenders. It is also estimated that 75% of their inmates are drug and/or alcohol dependent in some form or another. The high rate of recidivism is corroborated by The Philadelphia Police Department data. The Department estimates the following:

-58.8% of the persons arrested for narcotics offenses in 1988 had a prior arrest.

- 39.9% of the persons arrested for narcotics offenses in 1988 had a prior arrest for drug offenses.

-35.3% of the persons arrested in 1988 for narcotics offenses had a prior arrest for a major crime (Note: A major crime is homicide, rape, robbery, burglary, aggravated assault, and auto theft.)

- 70.7% of the persons arrested in 1988 for major crimes in 1988 had prior arrests.

-50.6% of the persons arrested for major crimes in 1988 were arrested for another crime.

- 41.2% of the persons arrested in 1988 for major crimes were arrested for the same crime as before.

These increases in drug offenses, criminal justice system expenses, and law enforcement expenses strain current levels of operation for those agencies, and they threaten to strangle the city's limited resources.

To better deal with the increased rampage of the drug problem and the decreased level of available resources, I established the Mayor's Leadership Anti-Drug Council. The seventeen individuals that comprise the group provide overall anti-drug policy guidance and direction. I strongly believed then, as I do now, that all facets of the community must be involved in eradicating the drug crisis. Therefore, the task force was divided into five "operating groups" to focus on criminal justice, education, prevention/intervention and treatment, community mobilization, and legislation and finance.

The Anti-Drug Council has held regular meetings for the past year. Within the first four months, the task force released a 60-page anti-drug strategy to the community, outlining the city's existing and planned anti-drug activities. Major actions have taken place as a direct result of the council's recommendations.

-As of May 22, 1989, we have sealed 412 crack houses.

- This fiscal year, the city will provide $450,000 to fund youth anti-drug strategy. Next fiscal year that amount will increase to $620,000. We have secured $160,000 in state funding for this program as well. This funding is allocated to ten (10) Community Based Organizations (CBO's) who will provide structured anti-drug programming to a minimum of 1,000 young people , ages 12 to 18 years old.

- Our business community is being asked to "Adopt A Center" and provide cash and/or in-kind support to the CBO's.

- Five options to provide job experiences to participating youth have been identified. These experiences are intended to offer positive work opportunities to participants.

- Three universities have agreed to provide counseling to youth participants and their families when required. Resisting drugs and peer pressure requires great effort, and this counseling assistance will be critical.

- A dialogue has begun with local clergy to obtain their assistance in providing referral and counseling to youth and their families.

-Drug and alcohol counseling has been implemented in six homeless shelters

These efforts by the task force are reflective of the belief by the community, and my Administration, that the immediate and local solution to our drug problem must lie in treatment, education, economic empowerment, and positive diversions for our young people.

The issue then becomes what resources are to be used to implement these programs? Some local funds have been diverted to address the need; however, in no way are they sufficient. The state and local drug enforcement grant program that Congress authorized in the Anti-Drug Abuse Act of 1986 has not been totally responsive to our needs.

As you may recall, during the discussion of the creation of the Act, I strongly argued for a direct funding provision to the cities. However, the Act authorized allocations to the states instead. Under the current provisions, Philadelphia received 28.8% or $2.25 million dollars in 1986 (of the $7.8 million statewide), and 36.7% or $1.8 million in 1988 (of the $4.9 million statewide). Pennsylvania has not awarded all of its 1988 state block funds. The Pennsylvania Commisssion on Crime and Delinquency has awarded only continuation awards from the 1988 second year block amounting to $3.1 million statewide. The $1.8 million share noted above is entirely for Philadelphia continuation projects funded initially with 1986 Act funds ($2.25 million).

The Pennsylvania Commission on Crime and Delinquency tentatively decided at its May, 1989 meeting that the remaining 1988 state block funds of $1.8 million should be used to fund some limited expansions of existing projects, and the rest (approximately $900,000) for new projects. The State Commission also determined that Philadelphia would compete for the new project funds, and not receive an allocation or set amount. As such, Philadelphia could receive some or none of the remaining 1988 state block funds of $900,000.

The Pennsylvania Commission also tentatively determined at the May 1989 meeting that the remaining 1988 funds designated for new projects would be combined with the federal FY 1990 appropriation for the Act, and that applications would be considered in September and December of 1989, and March of 1990. The issue of whether Philadelphia would get an allocation of the FY 1990 funds was left undetermined by the state.

Although the percentage of the state block that Philadelphia received to-date from the 1988 Act funds appears to be increasing somewhat (28.8 to 36.7%), it does not acknowledge that the problem in Philadelphia is proportionately much more severe than the rest of the state, nor does it provide for a timely disbursement of grant funds within a set allocation.

Philadelphia had approximately 45% of the total drug-related arrests throughout Pennsylvania. In the five county area in Southeastern Pennsylvania, including Philadelphia, it is estimated that Philadelphia drug arrests account for between 60-75% of the total Southeastern Pennsylvania drug arrests.

We have several specific recommendations to improve the 1986 and 1988 Drug Abuse Acts, relative to the Law Enforcement Portions:

1) Raise the $250 million authorized national level for state and local law enforcement grants to $500 million, and appropriate the full $500 million for FY 1990.

2) Require that cities and counties or city-county combinations of 250,000 or more population receive a specific allocation from the state block based upon a formula that includes criminal justice expenditures and drug arrests.

3) Amend the 1988 Act to require that cities and counties within a regional or metropolitan multi-state area, which can demonstrate having a minimum of 50% of that area's drug problem, should be eligible for a specific and direct federal discretionary grant award as an "high intensive zone" city. The award should be a minimum of $1 million.

4) Amend the 1988 Act to eliminate the 50% local match requirement for state block subgrants. The fiscal picture in our cities and counties cannot support such a stringent matching requirement. In order to get the most out of these federal funds, the matching requirement should be eliminated.

5) Amend the 1988 Act to require that state block funds be awarded within six months of the federal appropriation (usually October 1). The experience with both the 1986 and 1988 Acts has been that most of the grants are awarded some 12 to 15 months after the beginning of the federal fiscal year appropriation.

(Note: Attached is a list of the law enforcement projects funded with state block funds to-date.)

COORDINATED ANTI-DRUG TRAFFICKERS PROGRAM

The six projects involved in the City's effort are:

	Project	Federal Funds	Match	Total
Police	1. "Juvenile and Organized Crime Drug Traffickers"	$ 1,172,750	$398,472	$1,571,222
District Attorney	2. "Dangerous Drug Offender Unit"	$ 530,300	$254,737	$ 785,037
	3. "Drug Offender Profile Project"	$ 38,380	$ 17,889	$ 56,269
Adult Probation	4. "Accelerated Presentence Investigation Drug Project"	$ 144,652	$ 63,788	$ 208,440
Pretrial Services	5. "Accelerated Bench Warrant Service on Drug Defendants:	$ 110,605	$ 48,089	$ 158,694
Prison	6. "Facility Expansion at Laurel Hall (50 Beds) for Drug Defendants"	$ 253,313	$100,000	$ 353,312
TOTAL 1988		$2,250,000	$882,975	$3,132,974
TOTAL 1989		$1,800,000		
GRAND TOTAL TODATE		$4,050,000		

We cannot abandon our basic law enforcement and criminal justice initiatives that arrest, adjudicate, and incarcerate narcotics offenders. These efforts "hold the line" and make our streets and neighborhoods safer, while we grapple with the solutions to the drug problem. Therefore, any realistic and effective measure would include the recommendation that approximately 50% of our total anti-drug expenditures should go to continue and expand these efforts.

While we seek solutions for this crisis in all areas , we will not surrender our streets to drug pushers. We will not stand by and see our children and innocent victims caught in the crossfire. We will not allow our neighborhoods to be burglarized by drug addicts feeding their habits. We will not allow our citizens to be assaulted by drug-crazed thugs.

At the same time , we must realize and honestly address the fact that a great amount of the solution to the drug problem lies in education and prevention for those not yet lost to drugs. It lies in treatment for those now addicted. It lies in increased economic and social opportunities, the lack of which provide a despair and hopelessness that makes drug pushing lucrative and drug taking a quick escape from the pain of reality.

Philadelphia, like the cities across this nation, is a victim of the drug problem. Although we are developing measures to deal with the local immediate symptoms of the problem, the major cause of the problem must be dealt with on the federal level. In no way is it a "confession of irresponsibility" on the part of localities, as Director Bennett has charged. Instead, it is a profession of the reality of the magnitude and malaise of the international drug problem.

We cannot stop the infiltration of drugs into our cities until the federal government stops the importation of drugs at the borders. Federal interdiction is mandatory if this nation is serious about eliminating the scourge of drugs from our society.

We, as city leaders , are taking responsibility for our localities the best way we can. And we are making a difference. But the nature of drug abuse, the nature of the cycle of crime and destruction, the nature of the international and national networking of drug dealers calls for much stronger, much more powerful resources and policies than any local government wields.

Just as the federal government is committed , both in manpower and economic power, to the defense of this nation, it must also be committed in the same way to the defense of this nation from the drug war.

The signs of our times signal that the most fearful destruction of this country will not come from armies across the seas; it will not come from political tyrannies across the borders. Our most fearful destruction will come from physical and mental deterioration from within - the destruction of our children, the destruction of our future, due to drug abuse and crime.

We are losing an entire generation. Unless there is a tangible commitment from the federal level, unless there is adequate funding to needed areas, unless there is sufficient military force to stop drug importation, unless there is commitment far beyond verbal slogans and bandaid treatment, we, as a nation, in spite of our limited efforts, will face even more difficult days ahead.

Mr. Chairman, I submit that we have the means to win the war on drugs. We have the commitment of our communities. But we must have the commitment of the most powerful government in this world - our federal government.

National
League
of
Cities

1301 Pennsylvania Avenue NW
Washington, D.C.
20004
(202) 626-3000

Officers

President
Terry Goddard
Mayor, Phoenix, Arizona

First Vice President
Bob Bolen
Mayor, Ft. Worth, Texas

Second Vice President
Sidney J. Barthelemy
Mayor, New Orleans, Louisiana

Immediate Past President
Pamela P. Plumb
Councilor, Portland, Maine

Executive Director
Alan Beals

STATEMENT OF
THE HONORABLE JAMES P. MORAN, JR.
MAYOR OF THE CITY OF ALEXANDRIA, VIRGINIA

ON BEHALF OF

THE NATIONAL LEAGUE OF CITIES

ON

DRUGS

before the

SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

UNITED STATES HOUSE OF REPRESENTATIVES

Wednesday, May 31, 1989

Past Presidents: Tom Bradley, Mayor, Los Angeles, California • Henry G. Cisneros, Mayor, San Antonio, Texas • Ferd L. Harrison, Mayor, Scotland Neck, North Carolina • William H. Hudnut, III, Mayor, Indianapolis, Indiana • George Latimer, Mayor, St. Paul, Minnesota • Jessie M. Rattley, Mayor, Newport News, Virginia • Cathy Reynolds, Councilwoman-at-Large, Denver, Colorado • John P. Rousakis, Mayor, Savannah, Georgia • Charles Royer, Mayor, Seattle, Washington • George V. Voinovich, Mayor, Cleveland, Ohio • *Directors:* Gary Anderson, Mayor, Decatur, Illinois • Jane Baker, Mayor, San Mateo, California • Carolyn Long Banks, Councilmember, Atlanta, Georgia • Marjorie A. Boon, Mayor, Grand Haven, Michigan • John E. Bourne, Jr., Mayor, North Charleston, South Carolina • Margaret W. Carpenter, Mayor, Thornton, Colorado • Stephen T. Cassano, Deputy Mayor, Manchester, Connecticut • Hal Conklin, Mayor Pro Tem, Santa Barbara, California • Beulah Coughenour, Councilmember, Indianapolis, Indiana • Joseph S. Daddona, Mayor, Allentown, Pennsylvania • Ed Eilert, Mayor, Overland Park, Kansas • Edward C. Farrell, Executive Director, New York Conference of Mayors • Robert Farrell, Councilmember, Los Angeles, California • Fred Guerra, Mayor Pro Tem, San Marcos, Texas • Anthony Hall, Jr., Councilmember, Houston, Texas • Glenda E. Hood, Mayor Pro Tem, Orlando, Florida • Joe B. Jackson, Mayor, Murfreesboro, Tennessee • Peter King, Executive Director, League of Iowa Municipalities • Mike B. Lindberg, City Commissioner, Portland, Oregon • Gary Markenson, Executive Director, Missouri Municipal League • Melissa Mershon, Alderman, Louisville, Kentucky • William A. Meyer, Executive Director, Oklahoma Municipal League • David D. Orr, Alderman, Chicago, Illinois • David E. Reynolds, Executive Director, North Carolina League of Municipalities • John H. Rodriguez, Councilman, Yuma, Arizona • Perry Roquemore, Executive Director, Alabama League of Municipalities • James Scheibel, Council President, St. Paul, Minnesota • Florence Shapiro, Mayor Pro Tem, Plano, Texas • Dolores Sibonga, Councilmember, Seattle, Washington • E.B. Turner, Councilman, Lumberton, North Carolina

STATEMENT
OF
THE HONORABLE JAMES P. MORAN, JR.
MAYOR OF THE CITY OF ALEXANDRIA, VIRGINIA
ON BEHALF OF
THE NATIONAL LEAGUE OF CITIES

Wednesday, May 31, 1989

Good morning. I am James P. Moran, Mayor of the City of Alexandria, Virginia, and Chairman of the Human Development Committee of the National League of Cities.

I am here today to testify on behalf of NLC and the 16,000 cities and towns across the nation we represent on an issue of great significance to us all and a major priority issue to NLC - the war on drugs. The battle we are waging is taking place on the streets of our nation's cities and towns. It is there - in the trenches - that our efforts must reach. I am here today to report what the City of Alexandria is doing to take back our streets and how the federal government can most effectively reinforce our efforts.

In the spring of 1987 five of our City neighborhoods developed into open-air drug markets, primarily for crack cocaine. These neighborhoods were literally under the control of drug abusers and sellers. Law abiding citizens were reluctant to leave their homes and, fearing retaliation, would not cooperate with the police. In other parts of our City, the drug trade flourished, although less conspicuously.

During the spring of 1987 a group of citizens from some of the areas most affected by drug abuse approached City Council and insisted that prompt and effective action be taken. Council responded in two ways. First, City Council instructed the City Manager to make fighting drug-related crime her top priority. And, second, it appointed a 15 member Anti-Drug Task Force charged with developing a comprehensive plan of attack by December 1987.

The Alexandria Police Department targeted areas of the City that experienced the highest concentration of street level drug sales. Officers were reassigned to patrolling streets where drugs are being openly bought and sold. Officers who had worked behind desks for years were put back on the streets. A plain clothes tactical unit was organized to literally "jump out" and arrest drug dealers and buyers in the act. Community education and liaison efforts with local citizen associations were increased.

The immediate benefit of targeting areas was a drastic increase in drug related arrests and a reduction in the volume of street level drug dealing. We are convinced that the constant presence of police units in large numbers has kept violence associated with drug dealing from reaching crisis proportions.

As requested by City Council, the Anti-Drug Task Force considered all aspects of the drug problem: enforcement, prevention and treatment. A plan consisting of goals and recommendations was the result the Task Force's work. Some of the Task Force recommendations required additional funding. In May of last year, City Council invested $3.9 million to implement many of these recommendations including:

o $642,000 to hire 12 new police officers who were on the streets by August 1988. These new officers and reassignments resulted in 13% more patrol officers in FY 1989 than in FY 1988.

- $2 million to build a substance abuse detoxification and counseling center; and

- $400,000 to increase substance abuse prevention and treatment services bringing the FY 1989 budget for substance abuse services to $1.3 million.

In addition to the funding recommendations, the Task Force made many other recommendations that required redirecting efforts, coordinating city agency activities or mobilizing citizens. The complete Task Force report and summary of progress as of December 1989 has been provided to Select Committee Members. (Also, I have supplied the Committee with profiles of the winners of NLC's 1989 City Innovations Awards on what cities are doing to solve their drug problems.) But I'd like to give a few examples of the kinds of actions we've taken thus far.

- The Task Force recommended training citizens to be better informants when they witness a crime. In response, the police department developed and distributed a flier outlining effective ways to report crimes. The police department reports that citizen descriptions of suspects are more accurate and descriptive.

- The Task Force recommended that the local housing authority work closely with the police department to reduce drug related crime on housing authority property. No trespassing signs were posted and increased lighting installed. These improvements have aided the police in their efforts to make these properties safe.

- The Task Force recommended improving and maintaining the physical appearance of properties in the areas most affected by drug abuse and sales. One of our neighborhoods, known as Lynnhaven, took it upon themselves to make this happen. Citizens work closely with the police department and code enforcement officials to identify poorly maintained properties and to move quickly to improve them. This effort in conjunction with increased police presence and consistent citizen reporting of suspicious activity has virtually eliminated street-level drug problems in Lynnhaven.

- The Task Force recommended aggressive action against public and private housing tenants who violate the terms of their leases by permitting illegal activity in their homes. Our local housing authority is working closely with the police department to identify public housing units where there is solid evidence, such as controlled buys and executed search warrants, of drug selling. When such units are identified the housing authority evicts the lease holder and all tenants, regardless of whether the individuals are involved in the drug selling itself. We have received permission from HUD's General Counsel Frank Keating to eliminate the option of an administrative appeal, forcing tenants who dispute the legality of their eviction to file their appeals with the Circuit Court. To date, four public housing families have received eviction notices. Two have filed appeals with the Court and are being represented by Legal Services.

- When police have evidence that drug selling is occurring in a unit owned by a private landlord, that landlord receives a letter from our Commonwealth's Attorney. Fourteen private housing tenants have received eviction notices as a result of this notification.

- Once a household is evicted for drug-related reasons they are no longer eligible for such discretionary City services as shelter and household goods storage.

- We are seeking HUD authority to remove Section 8 vouchers from tenants evicted for drug-related reasons. Currently, evicted tenants can go anywhere in the country and use their vouchers.

- I have recommended to my colleagues at the Council of Governments that household members involved in drug-related evictions have their social security numbers placed on a data base. Public and private landlords would check this data base and deny leases to those whose social security numbers are included.

- I recommended to several hundred City of Alexandria landlords that they place a clause in their leases that would make drug activity in their units a breach of their lease and therefore cause for eviction.

o I proposed to have the City of Alexandria condemn, seize and sell the properties of those landlords who do not evict tenants when police department information indicates that drug selling is occurring within the unit.

These are just a few examples of that we've been doing and planning to combat the drug problem. We have made progress, but the lesson we are learning is that progress in one area of this struggle seems to create problems in others. IF WE INCREASE ARRESTS DRAMATICALLY, WE OVERCROWD OUR JAIL, AND STRAIN OUR PROSECUTOR'S OFFICE, OUR PROBATION AND PAROLE OFFICE AND OUR ADDICTION TREATMENT SERVICES.

I'd like to explore each of these problems for just a moment.

First, the effect our increased enforcement has had on our city's services. Our immediate response to drug-related crime was and is increased police activity. As a result, 44 percent more arrests were made in 1988 (907 total) than in 1987 (634 total), and 1989 promises to break records as well. In the areas most affected by the drug crisis, 380 persons have been arrested thus far in 1989. Moreover, in the DC metropolitan area drug arrests have increased 81 percent in the past four years. This meant that significantly more people were processed through our criminal justice system than in previous years.

Most of these people spent at least some time in our City Detention Center. The Detention Center is a $26 million facility that opened in 1987 with a capacity of 333 inmates. It has routinely held well over 440 with no end of the overcrowding in sight. Overcrowding at State prisons results in delays moving state prisoners out of local facilities, further exacerbating the situation. In the DC metropolitan area there are 10,780 prison beds and 13,583 prisoners.

It costs the city between $39 and $42 each day to keep a prisoner in jail (a jail stay is more expensive than prison since jails are built for maximum security) or about $15,300 per year. It cost about $7 million in FY 1989 to house 430-450 prisoners per day. In terms of the cost of lost productivity had the individual been employed it is difficult to say. But it is understood that the cost to a city will be more than the cost of "room and board". A city will also lose important tax revenue the individual might have contributed plus court costs, probation costs, rehabilitation or training, and drug treatment expenses.

Most persons arrested for drug-related crimes are prosecuted by our Commonwealth's Attorney John Kloch. Mr. Kloch reports that in 1988 his office experienced a 300 percent increase in cases over 1987. He estimates that at least 95 percent of these cases are drug related: drug possession or sales; crimes committed while under the influence and/or crimes committed to support drug addiction, including alcoholism.

Following a conviction, many of these individuals are returned to the Detention Center. However, significant numbers are placed on probation, contingent on their participation in treatment programs and their remaining drug-free. Others are released on parole, after serving jail sentence, and are also required to be drug-free. These sentencing and release policies, while they are sensible and help to minimize jail overcrowding, have caused probation and parole officer caseloads to rise to 90, 29 more than the Virginia state standard. Our local probation and parole office has found it difficult to provide meaningful supervision to these numbers of people. Without careful monitoring, many of these released criminals present a danger to our City and diminish the overall effectiveness of our anti-drug efforts and renders the coordination of arrest, arraignment and incarceration moot.

Many persons convicted of drug-related crimes are diverted to additional treatment, usually residential and often 3-12 months in length. This is a humane and (if the person becomes rehabilitated) cost effective approach. We found last year that we LACKED SUFFICIENT RESOURCES. We nearly doubled our budget for

FY 1989 for residential treatment and now find that we are just keeping pace with demand.

The City is part of a large metropolitan area which includes the District of Columbia. No one city can individually plan anti-drug activities. If one jurisdiction steps up enforcement the drug activity moves across jurisdictional boundaries. We believe that uniformly vigilant enforcement throughout the region is critical to the safety of all our jurisdictions.

Without careful coordination, however, increased enforcement in the District could mean tipping the delicate balance we have achieved in Alexandria. Our Detention Center would become dangerously overcrowded, our Commonwealth's Attorney's office would be unable to prosecute efficiently or effectively, our probation and parole officers would be able to offer virtually no monitoring or supervision and our residential treatment resources would be exhausted early in the fiscal year.

When and if there are dramatic increases in enforcement efforts in the District, it is essential that task forces staffed by federal, state and local law enforcement agencies be in place. The current Northern Virginia Crack Task Force has proven to be most effective in aggressively pursuing drug dealers and their assets. More such task forces are in the works and they deserve attention and resources.

In summary, we have found certain strategies to be effective in Alexandria:

- o Neighborhood oriented police work that promotes effective citizen participation in crime deterrence and law enforcement.
- o Tactical units and foot patrols to disrupt street level drug activity.
- o Narcotics unit and regional task force participation to focus on mid-level dealers.
- o Addiction treatment, without long waits, to rehabilitate those ready to begin recovery.
- o Taking a hard line on drug seeking and related criminal activity in public and private rental units.

FEDERAL ROLE

The passage of the 1986 and 1987 drug laws and the appropriation of the necessary funds this year were and are great steps forward. However, the programs and funds must be continuous and consistent in order for communities to really make a difference in the long term. Quick fixes don't work. We cannot we rob Peter to pay Paul. We can not allow other critical and supportive services to be traded in order to pay for anti-drug efforts.

Funds that are here today but gone tomorrow send the wrong message to the drug dealers. It says that we are not really serious and not concerned enough about our children and our communities to invest the necessary resources. We have put a price tag on our own lives and those of our children.

I believe the nation has not yet committed sufficient resources to a real war against illegal drugs. Illegal drugs have become destructive part of our daily lives in our homes, our schools, and on our streets, and people that buy drugs are a part of that destructive force.

In my role as Mayor and also in my work with the National League of Cities, one thing is abundantly clear. The drug war is nationwide and to stop it there must be a coordinated effort at all levels of government - federal, state, local. President Bush agrees. In his statement to introduce his new $1.2 billion Federal Anti-Crime proposal the President said, "no federal effort can succeed without full partnership of the cities and states". City leaders share this vision. However, the partnership must be real.

According to the White House, the proposal would be financed - if Congress approves it - out of the FY 1989 Budget's $10 billion domestic discretionary pool. In other words, Congress would have to cut funds budgeted for education, Head Start, low income housing and other State and local programs which deal with the underlying problems which create drug abuse in order to pay for anti-crime efforts only at the federal level. 90 percent of all arrests are made at the state and local level, yet, the Bush proposal does not address state and local law enforcement funds, nor has he ever supported full funding for the 1988 Anti-Drug bill.

The President believes his proposal will "set an example" for state and local governments to follow the federal governments lead and invest more of their own resources.

Moreover, President Bush says he will not raise taxes and he has opposed full funding for the drug bill; yet he clamors for an all out battle to rid our communities of drugs. Mr. Chairman, there stands present two serious problems for local governments.

First, the President is setting an example when he refuses to support tax increases to "eliminate the scourge of drugs" in our cities and towns. We believe it is inconsistent for the administration to oppose tax increases while requesting us to increase tax and resources.

Second, the administration's position does not take into account the large and growing fiscal disparities between different cities. As you well know, Mr. Chairman, many of our country's inner cities with the greatest levels of crime and drug abuse have the most distressed revenue bases from which to find new resources. Unless and until the federal government recognizes these disparities, these cities are likely to remain breeding grounds for gangs and drug exportation to other communities.

At this juncture I would like to mention some of the comments I have received regarding difficulties City staff have encountered in dealing with the State and Local Law Enforcement Grants program. We believe the program, which was designed to provide assistance to local law enforcement efforts and improve local criminal justice systems, could be enhanced and we would be pleased to work with you, Mr. Chairman, to untangle some of the trouble spots we have encountered.

* Information on the availability of funds is slow in getting out to cities.
* Once the information is received, the turn around time is insufficient to adequately prepare grant proposals.
* Once the grant proposal is written and submitted, and provided it arrives by the filing deadline, a municipality has no assurance that it will be awarded the grant.
* The paperwork nightmare that follows winning an award is mind boggling and is often not worth it in terms of manpower

expenditures. The cost of implementing, administering, and documenting quarterly can be incredibly costly.

* The grants are short term awards. By the time the program is implemented the municipality is back to grant writing again.

* Finally, the nature of the drug problem is too complex to cope without consistent, guaranteed funding. A city cannot plan its budget and plan forward to address the drug problem if it spends half the time writing grants and praying for the award.

Moreover:

* As the level of government closest to the people, local governments need to be more involved in anti-drug discussions. We are a valuable source of information. We know what the drug problems are - we live them every day.
* States need to work more closely with localities in devising overall state anti-drug plans and work towards a comprehensive plan - not a little here or there.
* Congress must stop changing the rules in the middle of the game. I believe the Governors would also welcome consistency. The confusion of changing funding formulas then taking months after for federal agencies to publish regulations to implement the changes is a dangerous waste of time, money and energy.

Briefly, I would like to comment on the proposal offered by our nation's Drug Coordinator William Bennett that would place first-time drug offenders in "boot camp". While this type of punishment can be and is, in some places, an effective weapon in the anti-drug arsenal, it should not be considered a blanket cure. It has been described to me as "FAD criminal justice".

One of the dangers I see immediately in this type of program centers on medical costs. Alexandria pays $600,000 a year for medical services to prisoners many of whom have never seen a doctor or dentist. Many jailed women are pregnant and have never received prenatal care. Imagine boot camp costs. Imagine the law suits.

We look forward to working with Mr. Bennett as he formulates the nation's drug policy. Cities are an excellent resource on the complex nature of the drug problem. One area in particular demands special emphasis - our youth. There should be special counseling, rehabilitation, and detoxification programs designed especially for young people. Prevention of substance abuse should concentrate upon early intervention programs which are part of the total human resources network of services.

The bottom line is that for federal alcohol and drug abuse programs and activities to be successful, we need to recognize that education, treatment, rehabilitation, research, training and law enforcement efforts are interrelated.

IN CONCLUSION

The city of Alexandria is not unique. Virtually every city is experiencing the agonizing effects of drugs and the related crime and violence and the plague is spreading rapidly. The problems and needs of cities trying to deal day-to-day with the effects of drug abuse, trafficking, treatment and prevention are all too real. We are here because we want desperately for the Congress to know the true extent of the drug problem and how we can help. On behalf of NLC I place our resources at your disposal, Mr. Chairman, and thank you and your staff.

I urge you to help the cities and towns of our nation by urging your colleagues to **Support Full Funding** of the drug law. We are out-gunned, out-financed and run out of our homes. We are aware of the budget deficit and so are the drug dealers. But they are oozing with mountains of cash while we argue away the lives of our citizens, many of them innocent bystanders.

No city can be safe if drug dealers are free on the street in the time it takes to fill out paper work because we can't afford the cost of treatment facilities and jails. We can't afford not to. Our citizens are your citizens. We owe it to them - we can not fail them at any level of government.

We also call on the Committee to request States to work more closely with city officials and Members of Congress to improve the flow of funds to localities and expedite the grant process.

Finally, we strongly urge Congress to design a more consistent funding mechanism that will enable local officials to plan programs to carry out long term, comprehensive anti-drug strategies with the least amount of time, energy and money siphoned off for application and administration.

PREPARED STATEMENT OF

MAYOR SUE MYRICK

CHARLOTTE, NORTH CAROLINA

Before the
Select Committee on Narcotics Abuse and Control
May 31, 1989

Charlotte, North Carolina, like most other urban areas, is confronting what may be the most serious challenge it has ever faced - the war on illegal drug abuse and its tragic and costly consequences. Charlotte has worked hard to develop a quality of life that has attracted new residents and industries from all over the country and has earned the city high rankings in a number of polls which measure the desirability of urban areas in terms of places to live and raise a family. However, that quality of life is threatened by the effect that illegal drug abuse is having upon our city and among the young people we look to as the future of our community.

The illegal drug abuse problem in Charlotte knows no boundaries in regard to age, sex, race, and economic status. Its most visible manifestation is in the predominantly black inner city neighborhoods but the problem, and certainly its effects, is in our subdivisions, our schools, our churches, and our work places. No one in Charlotte, regardless of whether he or she uses drugs, has been granted immunity from the consequences of their abuse.

Charlotte is taking a number of initiatives to combat the drug problem:

- Our Police Department has added allocations to its Vice and Narcotics Bureau and has established street drug task forces in its patrol districts, resulting in a 210% increase in drug arrests in the past 8 years.

- The Police Department has added a Crime Analyst to more accurately track drug related crime and an Assets Forfeiture Specialist to identify the assets a drug dealer has obtained through his criminal activities and develop the case so that the courts will seize the cash or property and award it to the investigating agency.

- Police and the school system have implemented the DARE Program in sixth grades in hopes of showing young people at an impressionable age that there are alternatives to drugs.

- The school system has hired a Substance Abuse Coordinator to develop educational programs and address the consequences of drugs in the schools.

- Civic groups such as the Optimist Club sponsor drug programs and our local Junior League sponsored a conference called "Charlotte Cares" to mobilize the community to fight the drug problem.

- The Police are currently working on several initiatives with our local clergy to more effectively use the church in generating the changes in values that are crucial to the success of any anti-drug initiatives.

- I have recently sponsored a Drug Symposium to bring together leaders from across the state to help develop a comprehensive plan to attack drug abuse in North Carolina's ubran areas.

Yes, Charlotte is active in the war on drugs. Are our efforts working? We hope so. Are they enough? Most assuredly not. We estimate that 80% of our crime is drug related in some way. Our crime rate is growing much faster than our police resources. By making drugs our number one priority we have had to divert resources from other crime problems that are also of concern to our citizens. Our vice officers face sophisticated automatic weapons, fortified drug houses, and drug dealers to whom human life is cheap. We ask them to keep the faith and face the risks while watching the people they've arrested walk out the other side of the revolving door that our criminal justice system has become. More arrests ultimately accomplish little if there are not enough prosecutors to take the offender to court, enough judges with adequate laws to give drug dealers the sentences they deserve, and enough prisons to house the offender for longer than the bare minimum of his sentence. We're sending the drug dealer the message that crime does pay and, if by chance you're apprehended, prosecuted, and sentenced, you won't waste much of your life in jail. The user is getting the message that the worst penalty he or she can expect from the criminal justice system is the inconvenience of an arrest and the amount of time it takes to post bond or be granted pre-trial release. Until all branches of the criminal justice system get the resources to make the system function as a whole, enforcement will not be a significant deterrent to drug use or sales.

The schools confront equally difficult questions in the war on drugs. A 4th grader brings crack to school and claims he found it on the street in the public housing project where he lives; a fifteen year old girl brings quart jars of marijuana to school and says she's giving it away because her older sister is going out of the drug business; a young boy comes to school and tells the teacher that his parents are using drugs. Someone tries to intervene on the young boy's behalf and he returns to school the next day beaten black and blue; an inner city teenager wants to know why he should work at McDonald's for $3.35 an hour when he can make a previously undreamed of amount of money running drugs. How do our schools confront these issues and still have the time and resources to teach young people the skills and knowledge they need to become productive members of the community?

Charlotte also lacks adequate treatment programs and aftercare for the people who desperately need them. There are some good private programs but they are quite costly and, in many cases, have lengthy waiting lists. There are few if any programs for people who cannot afford to pay and for adolescents whose future is dependent upon the appropriate help. There are not enough resources for court mandated treatment and programs for the offender who is incarcerated. I believe in stiff penalties for drug dealers and those offenders who commit crime after crime to support their drug habits. However, the criminal justice system has ultimately failed both the offender and his victim if that offender gets out of prison and goes right back to his old habits with perhaps an additional grudge against society to spur him on. We must develop treatment programs for offenders; otherwise the criminal justice system will remain a revolving door.

What does all of this cost? Our community really doesn't have an accurate measure of what it's costing us to fight our war on drugs. We can't measure the cash expenditures. We also can't measure the costs to crime victims whose lives and homes have been left in a shambles due to drug abuse. We can't measure the costs of lost productivity and accidents in the workplace and the many ways these costs are passed on to the consumer. We can't measure the long range costs to the community of losing a significant number of our young people to drugs. We certainly can't measure the costs of the emotional and mental anguish of our citizens, especially the elderly, who live in inner city neighborhoods and who are afraid to walk out of their houses and sleep in closets because they've seen their old neighborhoods become battlegrounds for competing drug dealers.

Charlotte still believes the war on drugs is worth fighting and can be won but we have no illusions that our good intentions and limited resources are enough to wage much of a battle. Fighting drugs must be a joint venture between federal, state, and local governments. The drug problem knows no jurisdictional boundaries and neither should the sharing of resources. The crack being seized in Charlotte isn't made there. It comes from other states and other countries. Drug pushers and users are highly mobile; they move from one location to the other and pose a threat to all our communities. I don't feel that Charlotte is confessing irresponsibility when we ask for help from the federal government. We are doing our part, however we have limited resources that are already stretched from making up for cuts in federal funds in other critical areas such as housing and mass transit. In many cases, programs that have been cut impact upon the conditions that help breed drug abuse: lack of employment opportunities, transportation, child care, and, available and affordable public housing.

We need your help and would accept it as an investment in Charlotte's future. There are several specific measures that we desperately need.

(1) Repeal Section 6077 of the Anti-Drug Abuse Act of 1988, effective October 1, 1989 that no longer allows federal assets forfeiture statutes to supersede state laws. If this becomes law, our local and state law enforcement agencies, whose officers risk their lives to bring drug dealers to justice, will lose funds that have been used to supplement their budgets and provide better equipment and training to combat drugs. This will be a blow, both to our budget and to the morale of our dedicated officers. I urge you to repeal this law prior to October 1.

(2) Provide adequate funding for the provisions of the Anti-Drug Abuse Act of 1988. The intent of the act is good and has the potential to make a genuine impact on our drug problem but if funds are not made available, the law will become empty words and empty promises.

(3) Consider using abandoned military facilities and other federal property as prison facilities. We must get drug dealers off the street. Drug dealers take lives and kill

dreams and until we remove them as a threat to society, they will continue to scoff at our efforts to fight drugs.

(4) Try experimental programs such as the boot camps for first time drug offenders proposed by Secretary Bennett but develop realistic ways of evaluating whether they make a genuine difference in the life of the offender. If a young person comes out of the boot camp with nothing more than a hardened attitude we have accomplished nothing. First time and youthful offenders need discipline tempered with compassion, treatment, and the development of the skills that will make them productive and self-assured members of society.

(5) Develop more federal grant programs for anti-drug initiatives in enforcement, education, and treatment, provide funds to local government, and streamline the administrative process that accompanies the grants. Previously funds were available through Justice Assistance grants as well as Drug Control grants. Now that the two programs have been combined, there are decreased grant funds and more competition for fewer grants. Those jurisdictions fortunate enough to receive funds often experience delays in actually receiving the money and encounter a maze of paperwork in monitoring the grant and making even the smallest change in the original concept or budget of the grant. The

system leaves little room for a developing program to build on its successes and correct its failures. More grant funding should also be available for grants lasting longer than two years. Winning the war on drugs is a long term effort made up of small successes. The development of a successful anti-drug initiative through grant funding is a step forward; reducing or eliminating the program two or three years later when grant funds are withdrawn is a step backward.

(6) Establish more research grants that develop drug treatment programs. Since treatment must be geared to varying segments of the population and to a growing variety of drugs, it is imperative that we develop programs that have a high probability of success. It is also imperative that better evaluation criteria be developed so that funds for treatment programs can be expended on programs with a documented success rate.

(7) The Federal government must reevaluate its foreign policy decisions in regard to those countries which are major sources of illegal drugs and must impose sanctions against those countries, such as denial of foreign aid, in order to curb illegal drug exports to our country.

These and other measures as outlined by the U. S. Conference of Mayors in their National Anti-Drug Strategy would have a major impact in the war on drugs. All of our resources are limited and governments at the federal, state and local level face daily decisions on what our priorities must be. I do know that illegal drugs are robbing our nation of our most valuable resource - it's people. Drugs take lives and do irreparable damage to the character, the imagination, and the will of the people who give our country its strength and vitality. If we don't invest our resources in the war on drugs today, tomorrow will be much more uncertain for our communities and our young people. I don't think turf or whose money is being used are the issue in the war on drugs. This is everyone's war. We've already lost the battle - we just aren't facing it. The issue is that we can't afford not to fight and we certainly can't afford not to win.

Mayor Sue Myrick
Charlotte, North Carolina

TESTIMONY OF ROBERT M. MORGENTHAU, DISTRICT ATTORNEY, NEW YORK COUNTY, BEFORE THE HOUSE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL, MAY 31, 1989

Let me begin by thanking you for inviting me to testify today about the drug problem. Your invitation could not have been more timely. Never in all my years of public service have I been so disheartened as I am now when the subject turns to drugs. As I hope to explain this morning, the problem that faces us is a truly profound one, and our response -- particularly at the national level -- has been wholly inadequate. My remarks this morning represent the accumulated frustration of a District Attorney whose city is literally inundated with illegal drugs. They are a plea for help from a prosecutor who is tired of rhetoric and who longs for the resources and resolve that are essential if we are to solve this monstrous problem.

I.

The news from New York City in the war on drugs is this: the enemy's troops and supplies are ever increasing. Let me give you just one recent example. Last month, the New York City police arrested 14 people for selling wholesale quantities of cocaine -- as much as four ounces at a time -- openly on a Broadway block in upper Manhattan. The drugs were being sold, not to users, but to small-time retailers. With a little baking soda and a hot plate, the retailers who bought on the block could convert each ounce (price $600) into 350 vials of crack (price $5 per vial) for street-level distribution at a 300 percent markup. Armed with a search warrant drafted by our Office, the police also raided a local store and seized 500,000 empty crack vials, ready for filling.

The existence of such an open-air, wholesalers' bazaar speaks volumes about the problem that faces us in New York City. Cocaine in crack form is cheap and powerfully addictive, and it is literally tearing apart our social fabric. It has contributed to soaring homicide rates, dramatic increases in child abuse, skyrocketing hospital costs for drug-addicted babies, unprecedented homelessness, and untold human misery. Law-abiding citizens live in fear of drug dealers who control their street corners -- or worse their buildings.

Here are some New York City statistics:

1. New York recorded 1,915 homicides in 1988 and almost half were drug-related. Our poorest neighborhoods, not surprisingly, are the most victimized. There were 200 homicides in public housing projects last year, a 65 percent single-year increase and a 300 percent increase since 1985. Burglary arrests, which had been on a four-year decline, increased more than 11 percent in 1988. Subway robberies increased 21 percent. And there were 4,500 assaults on police officers last year, far more than ever before. Most tragically, seven police officers were murdered -- five in drug-related incidents.

2. Crack has also spawned a dramatic increase in child abuse and neglect. Last year in New York City, there were 55,000 reports

of suspected child abuse, an 18 percent increase from 1987. Neglect petitions in Family Court have increased almost 400 percent since 1984. Worse still, there were 130 child abuse fatalities last year, a 26 percent increase. Studies show that in nearly three-quarters of child-abuse cases, one or both parents has been using illegal drugs. That too is not surprising. Child care requires constant attention, and infinite patience, and a crack addict is capable of neither. The intense paranoia that crack induces makes for the likes of a Joel Steinberg; it does not make for good parenting.

3. We are also seeing a staggering increase in children born addicted to cocaine. A recent survey at Bronx Lebanon Hospital showed that 27 percent of the women in labor tested positive for cocaine. These babies are dangerously underweight, and many are malformed and prone to a condition known as physical rigidity. One case at Harlem's Hale House was so severe that if the baby's hand was extended, it remained in that position. Some have "prune belly syndrome," a deformity of the genitals and kidney system. A recent Florida study gives some sense of the immense social costs involved. The state will spend $700 million for health care, social services, and special education to prepare 17,500 cocaine-exposed infants born in 1987 for kindergarten in 1992. These statistics make plain that drugs are not a victimless crime; too often, the victim is a child.

4. Drugs are also closely connected to homelessness. Recent estimates show there are as many as 80,000 homeless people in New

York City -- a 15 percent increase from last year. Experts candidly acknowledge that substance abuse is a prime cause of the increase; it is, in one expert's phrase, "the nasty little secret of homelessness." The pattern is all too familar: drug abuse causes people to lose their jobs, deplete their resources, and alienate their friends and families. All that is left for them is the streets or a city shelter. The result is incalculable misery for the homeless, mounting costs for the public sector, and a moral blight on our nation.

5. Related to all these ills is the pernicious fact that close to 50 percent of all crack users are women. Crack is eroding the already fragile family structure in the inner city. Social workers report that 70 percent of the children they see are being raised by grandparents or other relatives -- their parents having abandoned them for drugs. Prostitution has increased as women sell their bodies to feed their habits. The number of syphilis cases, which had remained stable since 1959, increased 115 percent last year. And health experts report that crack has become a significant factor in the transmission of AIDS due to the promiscuous sexual activity that is commonplace in crack houses.

In short, drugs are at the very core of virtually every problem that plagues society -- crime, child abuse, homelessness, AIDS. To borrow a phrase from a recent full-page New York Times editorial, crack is "to the 80's and 90's what the Great Depression was to the 30's or the Vietnam War was to the 60's and 70's." For the sake of our future, we must recognize that reality and act now.

II.

Those of us in law enforcement in New York City have responded decisively to the crack epidemic. The Police Department has expanded its Narcotics Unit from 531 officers in 1984 to 1,609 officers in 1989. Perhaps most dramatically, the police have established Tactical Narcotics Teams in the neighborhoods that drugs have most devastated. Using undercover officers and search warrants, a TNT team in East Harlem made 969 felony drug arrests in the first three months of this year.

I am confident that there has never been a five-year period of local law enforcement activity that rivals the past five years. The New York City narcotics indictments have increased 247 percent, from 6,000 in 1984 to 21,000 in 1988. During the same period, the number of drug dealers sentenced to state prison has increased from 1,376 in 1984 to 5,026 in 1988. That figure compares to a total of 385 drug dealers sent to federal prison in 1988 from the Southern District of New York. This year our workload has increased even more. Manhattan indictments in the first four months of this year show a 56 percent increase over last year.

Crack has also made its loathsome presence felt in the New York City Criminal Court where misdemeanor cases are prosecuted. Cocaine possession cases have increased 58 percent in the last year. The result has been a substantial increase in the caseloads of our most junior assistants. Many of them are now handling 150 cases at a time. For the court itself, it has meant that some judges have 200 cases on their daily calendars. That allows less than three minutes for each case. To say that the crack crisis has engendered a court crisis is merely to state the obvious.

III.

What is the federal government doing? In two words, not enough. It is failing in its constitutional responsibility to ensure Domestic Tranquility.

To date, the Administration has advanced only one concrete plan for drug law enforcement -- a Drug Assistance Program for Washington, D.C. The plan, which was announced with much fanfare, is woefully short on substance. It would be laughable if the problem were not so serious. The plan adds only 11 DEA agents to fight drug trafficking in a city which had 13,000 drug arrests last year and 220 drug-related murders. Those agents will be very busy indeed. The plan also calls for "five intelligence analysts from the Department of Defense." Surely it does not require an intelligence analyst to know that drugs are being sold two blocks from the Capitol. It also calls for 25 FBI personnel. On closer examination, however, the FBI personnel are technicians. Laboratory support is essential to effective law enforcement, but these are not the front-line troops that are needed if Washington is to regain control of its streets.

The sad irony is that a year from now when drug dealing in the Capitol remains rampant, critics will say that law enforcement was tried -- and failed.

The President has also called for resources for a so-called comprehensive program to combat violent crime. While the plan has its strengths, it has one glaring weakness: it fails to appreciate that the rise in violent crime is but a symptom of the drug problem. The plan would not add a single agent to the Drug Enforcement Agency. That means that we will continue to have only 2,845 DEA agents in the United States and oversees. Just to say that number -- 2,845 DEA agents -- is to dramatize our lack of national commitment. Moreover, at a time when the Congress has appropriated only $961 million of the $2.8 billion authorized by the Anti-Drug Abuse Act of 1988, one wonders where the $1.2 billion will come from to fund this new plan.

To focus resources on guns and ignore drugs, as the Administration proposes, is to miss the mark. Guns have become part of the uniform of drug dealers. They are no longer cheap "Saturday Night Specials," but sophisticated weaponry -- Mac 10 assault weapons, 9 millimeter handguns, and street-sweeper shotguns. Just last week, a citizen called the Police Department to report finding an Uzi submachine gun in his garbage can. Until we rid our streets of drug dealers, guns will be a part of the urban landscape.

What is also distressing about the President's plan is its call, once again, for the "restor[ation] of an enforceable death penalty." Whatever one's philosophical view on the death penalty, one thing is undeniable: The proposed death penalty legislation will do nothing to stem the drug epidemic. Touting the death penalty as a panacea may be good politics, but it is bad law enforcement. It promises protracted litigation when what is needed is swift punishment. It distracts attention from the pressing need to provide more police and prosecutors, more judges and jails. In short, it is cheap rhetoric at a time when the criminal justice system needs real resources if it is to guarantee public safety.

Also misguided is the recent suggestion of Director Bennett to establish prison "boot camps" for those arrested the first time for drug use. I am not opposed to prosecuting users -- confiscating their cars if they drive into the city to buy drugs or withholding public benefits until they enter treatment. But the simple truth is that in New York we do not have the resources to put first-time sellers in bootcamps, let alone first-time users. Because of insufficient resources, many defendants are now able to plea bargain for unsupervised probation on their first drug-sale arrest. Until punishment for dealers is swift and certain, it will remain easy for traffickers to enlist new recruits to their ranks. In a world of limited resources, punishment for dealers must remain our first priority.

IV.

What should the federal government be doing? Far more. Last February, I had the opportunity to testify before the Senate Foreign Relations Committee. At that time, I called upon our nation's leaders to make drugs a priority item on our nation's foreign policy agenda. I renew that call today. If the war on narcotics is to succeed, we must muster all of our foreign policy skills to persuade the world's exporting nations to control the production and distribution of illegal drugs. I harbor no illusions that the matter is a simple one. We must recognize that the law-abiding citizens of Bogota are as much the victims of cocaine as we are. And we must work with them to fight the drug barons, who are our common enemy.

Second, there must be a serious commitment of resources to state and local governments for expanded law enforcement, treatment, and education. Almost every expert now agrees that expanded local law enforcement is an essential ingredient of an effective drug policy; in the short run, it may well be the only viable policy. Yet since 1987, federal funds for state and local narcotics enforcement have been significantly reduced -- by 38.3 percent in New York State.

If the drug scourge is to stop, we need federal help. I urge the Congress to appropriate $500 million a year for the next five years to state and local governments for narcotics law enforcement. Such a five-year plan would mean a marked increase in spending for drug enforcement grants, which have fallen from $225 million in 1987 to $150 million dollars this year. But it would still be only a tiny fraction of the $160 billion dollars that have been earmarked to bailout the savings and loan industry. This year, the grants program has taken on a new name: the "Edward Byrne Memorial

State and Local Law Enforcement Assistance Program," after the New York City police officer who was murdered while protecting a witness to drug dealing. Next year, let us honor Eddie Byrne and all heroic officers by committing the resources to the program that states and localities so desparately need.

Finally, now is the time for a national commitment to the education of our children, especially those in the inner cities. My concern extends well beyond drug education. In New York City, the dropout rate is 32 percent. We cannot permit that to continue. Our schools must educate and instill moral values, and they must provide hope and opportunity. For as long as there are legions of young people disaffected from society, there will be a ready supply of drug dealers and a ready market for their product.

This past year, the New York City Police Athletic League set up a playstreet on the block adjacent to where Officer Byrne was killed. It has become a small symbol for the community of a brighter future. Where drugs were once sold openly, children now read books, play ball, and do crafts under close supervision. I am not so naive as to think that playstreets will solve the drug problem. But getting a child hooked on books or on sports is a first step to keeping him from being hooked on crack as he grows into adulthood. A national commitment to improved education will be expensive, but it promises to pay rich dividends.

V.

In sum, there are no easy solutions to the drug problem, and no cheap ones. But the choice is clear: either we pay now for effective law enforcement and treatment, or we pay far more in future years to cope with the destruction that illegal drugs cause. It is time -- it is past time -- for a bipartisan, national mobilization. Only that will succeed. I hope these hearings will dramatize the dimensions of the problem we face. And I thank you for inviting me to share my views with you this morning.

Testimony of Fred B. Ugast
Chief Judge - Superior Court of the District of Columbia
Before the
Select Committee on Narcotics Abuse and Control

May 31, 1989

Chairman Rangel and members of the Select Committee on Narcotics Abuse and Control. I am here today to try my best to describe for you the impact of drug abuse and drug-related violence on the criminal justice system in the District of Columbia, which I believe is illustrative of the problems facing many of our Nation's court systems.

Drugs and drug violence appear to be overwhelming the justice systems of our nation's major cities. Although I would agree that each city has the responsibility for responding to its own emergency situations, I would submit that no city is capable of responding alone to the drug crisis we are all facing. The Federal government must share in funding a comprehensive and coordinated response.

Programs that work must be identified and funding for their implementation provided, perhaps on a shared basis, including local, state and Federal government dollars.

The Anti-Drug Abuse Grant Programs are a step in the right direction but are seriously underfunded and simplification of the grant application process would permit earlier action. Many good programs have been funded such as DARE (Drug Abuse Resistance Education) in the schools and many applications are being considered.

The solution to the drug problem, in my opinion, requires the simultaneous attacking of all sides of the problem. We need to address supply, through interdiction; and demand, by making the user aware of the danger (through education) and afraid of the sanctions. Consideration should be given to asset forfeitures for the user. Eg. confiscate the automobile used to make the personal use purchase! The "Open Air" and "Behind Closed Door" drug markets need to be shut down. Crack houses have to be closed down.

We must find effective detoxification programs for crack users. The financial attraction of participating in the illegal drug industry must be eliminated. Kids today are in a career path that brings them to our courts, at the age of 26, as national figures in their industry. We must, somehow redirect their energies toward successful careers in fields that are not illegal or immoral.

We must find a solution to the reckless and wanton use of weapons on our streets.

I don't pretend to have the answers, but I believe we must address the full spectrum of the problem both short term and long term. We must have police, prosecutors, judges, jails and prisons. At the same time, we must have educational programs for young and old and treatment programs for the addicted. There must be drug testing and monitoring programs for those in the drug culture who come into the criminal justice system. For the long term, our greatest effort needs to be directed to our youth. In short, unless there is a coordinated and comprehensive attack on the drug and drug violence problem, there will be no solution.

I have no analysis to show the cost of processing a drug offender through our court, but over 1/2 of the District of Columbia Courts' annual budget of $80,000,000 is allocated to the processing of adult criminal and juvenile cases. In addition, our Social Services Division is supervising 10,000 adult probationers and 1,000 juveniles. Since 73% of adult arrestees and a higher percentage of probationers have drug problems, it is clear that at least $30,000,000 in court funds goes toward paying for the processing of drug offenders and their cases.

First, some specific information about the District of Columbia and the Superior Court. We have a single unified trial court with responsibility for all local litigation and a hybrid Federal-Local court system. The prosecutor is the United States Attorney for the District of Columbia and the U.S. Marshal Service is responsible for security, prisoner transfer and the service of process. Prior to any current drug enforcement programs, our Court had already been experiencing the results of drugs and drug-related crime for a number of years.

For example, our nationally copied program for drug testing of arrestees, in operation since 1984, reveals that while 51% of adult arrestees tested positive in 1984, 73% of adults tested positive in 1988. The adult "drug of choice" has changed, over these past five years from Heroin and P.C.P. to Cocaine. (14% tested positive for Cocaine in the Summer of 1984 - 66% tested Cocaine positive in 1988).

In our Juvenile Drug Testing Program, 33% tested positive in 1988 and the drug of choice has changed from Marijuana and PCP to Cocaine. (Cocaine was not found in 1984 juvenile drug testing; now, 72% of the juveniles testing positive are positive for Cocaine.)

Felony indictments have more than tripled; from under 3100 in 1978 to over 9700 in 1988.

Juvenile petitions have increased, from 4000 in 1982 to 5400 in 1988, and the crimes committed by those juveniles have increased tragically in their severity.

In 1978 there were 10 judges assigned to Criminal Felony Calendars; today there are 16. In 1978 there were 8 judges assigned to Family; today there are 12.

1. HOW ARE WE HANDLING THESE STUNNING INCREASES?

CURRENT CALENDARS

A review of the Individual Judge Criminal Calendars of the Superior Court reveals that there has been a steady climb in the number of cases on each Felony calendar and a leveling or "flattening out" of the Misdemeanor calendars. The attached table (Exhibit I) reflects the sharp increase in cases on our Felony calendars resulting from increased Felony indictments, of which over 60% are drug cases. This has been accompanied by a reduction in the number of cases on each Misdemeanor calendar as a result of a relatively minor lessening in Misdemeanor filings.

FELONY I AND ACCELERATED FELONY INDIVIDUAL JUDGE CALENDARS

The Felony I and Accelerated Felony calendars have reached critical levels in terms of being able to reach these cases within acceptable (Felony I) or statutorily mandated (Accelerated Felony) time frames. As Exhibit I shows, the two (2) Felony I calendars (handling murders, rapes, etc.) and two (2) Accelerated Felony calendars (handling chronic offenders, preventive detention cases, etc.) have, in just the past two years, jumped by 25% from a 35-40 case per calendar level to an unacceptable 45-50 case per calendar level. This calls for the immediate addition of at least one more individual judge calendar (a judge and supporting staff) to bring these two programs into a more manageable status.

FELONY II INDIVIDUAL JUDGE CALENDARS

The Court's twelve (12) Felony II calendars, similarly, have jumped from an average of 150-200 cases per calendar, before Operation Clean Sweep, to a 250 cases per calendar level during and following that program. Exhibit II reflects the huge increase in Felony indictments and their relationship to the drug problem. Assuming that a level of 200 cases per calendar is manageable, we would need to add three (3) individual judge calendars to the Felony II program just to accommodate today's case levels.

MISDEMEANOR INDIVIDUAL JUDGE CALENDARS

The emphasis on felony case arrests and prosecutions during the past several years (Exhibit III) has resulted in a gradual reduction of Misdemeanor filings. Recognizing this, the eight (8)

Misdemeanor calendars operated in FY 1986 and FY 1987 have been reduced to seven (7) and we have been able to maintain a barely manageable 250-300 cases per calendar level for over a year.

FAMILY DIVISION

The family Division has been able to operate at a fairly "balanced level" only because major senior judge resources have been allocated there. This makes it possible for two of the Juvenile Calendars to be continuously manned by utilizing the combined efforts of several senior judges to cover various Family Division Calendars.

CIVIL CALENDARS

In order to accommodate the heavy case levels in the Criminal and Family Divisions, we have reduced the number of Civil Trial Judges to the point where the first trial setting of Civil cases is 22-24 months from the case coming to issue. It is important to note that, in order to achieve a barely acceptable one year first trial setting, we would need to add four (4) Civil Judges for the Civil Division.

In considering the needs of the Civil Division, we must take note of the reported 10,000 police seizure cases which, according to the newspapers, are to be filed as Civil Action cases in the Superior Court. In order for the District to benefit from the seizure of assets of drug dealers, these cases (reportedly currently involving just under $4 Million Dollars worth of cars, houses and money) must be initiated by a filing in the Superior Court by the Office of the Corporation Counsel, followed by a right to a full hearing.

SENIOR JUDGE RESOURCES

In order for our Family Division to utilize full-time judges in the Juvenile Calendars, we must utilize our senior judges to handle at least two other full-time Family Division assignments. The entire remaining senior judge resource is barely adequate to cover the illness or vacation of the courtwide full-time judicial staff and to cover those supplemental assignments, such as Mental Health hearings, which would otherwise require full-time judges.

PROBATION SERVICES

Since 1975, the Social Services Division has routinely analyzed its work effort and assigned numerical values to the amount of time needed by a probation officer to perform a specified activity or function. These numerical values, or "workunits," provide the basis for measuring the amount of caseload activity required to meet the special needs of the various levels of diagnostic and supervision caseload. When the sum total of the Division's work multiplied by its respective work unit values, and divided by existing staff, reaches "100," the Division is performing at its maximum capacity.

Specifically, the year-to-date average for family services has been 127.7 workunits per probation officer and for adult services, 119.9. The total current need is for 52 additional probation office positions in order to provide adequate probation services for our existing workload.

2. WHAT DOES THE FUTURE HOLD?

IMPACT OF ADDED LAW ENFORCEMENT

Analysis of the filings of the past several years (Exhibit III) reveals that there has been a decided shift in the severity of cases brought before the Court. Whereas, in 1985, 67% of the cases formally charged were Misdemeanors, in 1988 less than 50% were Misdemeanors indicating that the number of Felony cases formally charged has almost doubled over the past five (5) years and now represents over 50% of the Criminal filings. This phenomenal change can be attributed to the influx of drugs and drug activity and also vividly reflects, in 1987 and 1988, the impact of "Clean Sweep."

These increases, however, occurred despite only small increases in the number of authorized police officers (Exhibit III).

We have been asked by Congressional Committees to project the impact of the addition of 700-800 police officers through federal action to raise the authorized position level of the Metropolitan Police to 4755.

Comparison of the number of police officers to the number of arrests, over a period of years, (Exhibit III) shows that, on average, we can expect a little over seven court cases per officer per year. We can estimate, therefore, that these additions will, annually, produce 4900 additional arrest cases which, we project, will, annually, result in 1600 additional Misdemeanor filings and, after preliminary hearing and grand jury action, 2000 additional Felony indictments.

MISDEMEANOR CALENDAR IMPACT

Assuming that Misdemeanor cases would be disposed of in 90 days, on average, our seven (7) Misdemeanor calendars would each increase by almost 60 cases if 700 officers were added. This would be far higher than 1986 and 1987 Misdemeanor calendar case levels. It would, therefore, call for the addition of at least one Misdemeanor Individual Judge Calendar in order to reinitiate an eight (8) Misdemeanor calendar program as was required by even lesser numbers of Misdemeanor cases in 1987 and several prior years.

FELONY CALENDAR IMPACT

Assuming that Felony cases would be handled in 180 days, on average, the Court would require the addition of five (5) individual judge calendars if 700 officers were to be added. (Exhibit III)

ARRAIGNMENT/PRESENTMENT

We believe that Arraignment/Presentment (first appearance) of these added workloads will require the Court to expand the hours of operation of our first appearance courtroom.

IMPACT OF PENDING LEGISLATION

It also appears that new legislation expanding preventive detention (and, therefore, requiring additional expedited trials), asset forfeitures and "drug evictions" will place substantial additional pressure on our calendars and require additional judicial resources. However, we are not able to project specific individual judge calendar needs for these actions without further detailed information on projected law enforcement use of the added legislative authority.

JUVENILE CALENDAR IMPACT

The combination of the steady annual increase in number and severity of juvenile petition filings (Exhibit III A) with the anticipated increase as a result of the addition of 700 police officers, would add approximately 900 petitions to the juvenile court workload. (Exhibit III B) This leads to the inescapable conclusion that one additional juvenile calendar will be needed by 1990.

CIVIL DIVISION - LANDLORD AND TENANT IMPACT

It is not possible, at this time to project the extent of the impact of the increase in drug-related evictions since the legislation has not yet completed the District of Columbia legislative process. It is, however, clear that if legislation is implemented, the Court will have extensive additional "due process" duties as well as many more cases to try on an expedited basis.

3. WHAT CAN BE DONE?

SUPPORT PROGRAMS AND SERVICES

It is obvious that much more is needed than the judges and direct judicial support resources described above. The following items must also be considered in an integrated and coordinated approach to the problem:

OVERTIME FUNDING

At the present time, the Court is required, due to the lack of overtime funding, to require its judges to leave the bench at 5:00 p.m. regardless of where they are in the processing of a trial matter. This results from the fact that any work by courtroom employees, under the Fair Labor Standards Act, would require the payment of overtime for which we are not funded. This means that a judge in the middle of the "voir dire" of a panel of jurors, a jury in deliberation but close to a decision, a witness nearing completion of testimony, or an attorney nearing the end of closing remarks must be cut-off in mid stream and required to return the following day. We believe that adequate overtime funding would permit our judges to complete a day's activity at a logical closing point rather than at a mandatory clock time and, therefore, would expedite the processing of our cases to the advantage of the Court and the litigants.

INDIGENT DEFENSE SERVICES

The increase in caseload will obviously have a direct effect upon the cost of providing representation for indigent defendants. The projected 16% increase in case filings translates to an estimated $3.5 million increase in the current $22 million indigent defense budget.

FY 1989 Criminal Justice Act Budget	$16,500,000
FY 1989 Public Defender Services	5,600,000
TOTAL	$22,100,000

There is also much concern that the determination of defendant's "indigency" does not include adequate verification of the actual need of the defendant. The system requires the necessary resources to implement such a program to eliminate the provision of free counsel to "unemployed" owners of expensive automobiles, jewelry and clothing.

PROSECUTORIAL SERVICES

The prosecutorial services of the U.S. Attorney's Office and the Office of the Corporation Counsel will be significantly affected by the above recommendations.

U.S. MARSHAL SERVICES

The U.S. Marshal Service will have significant additional workload as a result of the anticipated changes. In addition to having to man eleven (11) additional courtrooms, the U.S. Marshal Service will be responsible for substantially increased warrant activity and for stepped-up drug-related evictions.

PRE-TRIAL SERVICES

The Court relies heavily on the supporting services of the Pretrial Services Agency. That agency supplies background information (including prior criminal history, and the results of a drug test) on every arrestee. This information, which is summarized in a written report, is used at the defendant's first appearance to determine appropriate conditions of pretrial release. Increases in numbers of arrests will require a corresponding increase in the capacity of the Pretrial Services Agency to supply this information, as well as to monitor those individuals granted pretrial release. The Director of the Pretrial Services Agency estimates that a 700 person increase in police street personnel would require a 15% increase in the overall budget of the agency (or $450,000) in order to maintain support services at present levels.

Just as important as the information provided at the time of arrest is the post-release supervision carried out by the agency. Currently, three out of every four arrestees is drug positive. The Court relies on the Pretrial Services Agency to monitor drug-using defendants from release to final disposition. While the on-site drug testing facility is now well established, improvements could still be made. These improvements could take the form of increasing defendant accountability to court ordered testing conditions by moving to a system of immediate confrontation of the defendant with the test results, and immediate sanctions for violations. These improvements, according to the Director, could probably be accomplished with an increase of six positions above current authorized levels.

SOCIAL SERVICES DIVISION

HIGH INTENSITY TREATMENT SUPERVISION FOR JUVENILES: The HITS Program, consisting of a team of fifteen probation officers, two family counselors, two managers and two probation assistants, is designed to serve as an alternative to commitment of 200 almost exclusively drug distribution convicted juveniles. The program provides intensive supervision, monitoring and treatment services to youths and their families which will contribute to the youth's successful adjustment within the community. Each youth receives twenty hours every week of direct services.

This program could be doubled to four hundred youths with the addition of two supervisory probation officers, seventeen probation officers, and two probation assistants.

INTENSIVE PROBATION SUPERVISION: Intensive probation supervision for adults is a special emphasis program which provides a sentencing alternative to incarceration as well as direct removal from incarceration for up to 200 adult criminal offenders each year. Almost 80 percent of the offenders have drug-related problems and charges. These offenders are then placed in the community under restrictive IPS supervision and surveillance for six months prior to placement on regular probation. With the addition of one supervisor, nine probation officers, and two probation assistants, this program could be expanded to 400 adult clients.

DRUG MONITORING FOR PROBATIONERS: The adult probation caseload consists of 74 percent of the population being involved in drugs. Every new probationer is drug tested and monitored when necessary. Currently it frequently takes a week or more to receive drug test results. Monitoring services have frequent delays and are not provided in a timely manner. It is essential, if we are to effectively fight the drug war, to be able to confront a probationer immediately with positive urine results and swift corrective action. Resources are necessary for same-day drug testing results and immediate drug-monitoring capabilities.

INTERIM DRUG TESTING PROGRAM: At the current time, the average probationer seeking treatment must wait three to four weeks before space is available at ADASA run programs. Probationers must face very structured regulations or, as a sanction, be dismissed from the program. The sanctioned individuals, however, must wait 12 weeks before they can re-enter the program. This has created a very serious service gap. We need a program which will provide a structure of positive support that will enable the probationer to immediately begin (and complete) the treatment process. A program that will train fifty probation officers as certified drug counselors and provide a ninety-day interim drug treatment program for almost 300 probationers annually could be implemented for approximately $200,000.

4. WHAT ELSE COULD BE DONE?

SUPPORTING PROGRAMS AND SERVICES

There are a substantial number of additional programs and/or services needed and which should also be considered:

Programs:

- Pre-Trial Drug Treatment Programs;
- Post-Trial Drug Treatment Programs;

- Swift sanctions for failure to comply with drug conditions of release or sentence;
- Home Detention;
- Pre-Trial Electronic Monitoring;
- Expanded Diversion programs with sanctions and services;
- Drug training programs for all components of the Justice System.

Services:

- Improved and expedited DEA Drug Lab Testing;
- Improved and expedited forensics (ballistics, etc.);
- Improved and expedited services for pre-sentence investigation;
- Residential probation facilities;
- On-site urinalysis testing for probationers with "same-day" test results;
- Accelerated implementation of the CJIS; (Integrated Criminal Justice Information System);
- Expanded child and family counseling and treatment;
- Additional group homes, shelter houses and residential treatment facilities for juveniles;

The needs of our courts and the court-related agencies is integral to successfully planning a comprehensive justice system response to crime, drugs and drug violence in the District of Columbia. We want to do our part and want to do it effectively, but we must have the proper resources in order to do so.

But, I must reiterate a portion of my opening remarks. The solution to the drug problem requires the simultaneous attacking of all facets of the problem. Unless there is a coordinated and comprehensive attack on drugs and drug violence, there will be no solution. We must find the right programs and the money to fund them if we are to succeed in eliminating the drug crisis.

Finally, from a long-term standpoint, in my view there must be major efforts directed to our young people. This is where the future lies and we need to change behavioral attitudes. While law enforcement is the short-term answer to stop the violence and open-air drug markets, we cannot arrest our way out of this epidemic. Unfortunately, it is frequently too late when these young people reach the court. We need educational programs and treatment programs. We need to develop efforts across the board in the schools, community groups and churches to stress again family values and ties; the need for family support. We need to develop incentives for the kids to want to strive to improve their education and to look to role models involving work and the need to stay in school to get ahead. We need to diminish the feeling of frustration and despair about the future by providing job training and job opportunities. It is surely natural for all young people to want to improve on their life style and to enjoy life, but it's important that they understand that, with this normal desire and ambition, traditional values of right and wrong and respect for other individuals' rights, should go hand-in-hand when achieving these goals.

Putting an end to the drug epidemic will require our best efforts as a nation. We will not achieve this goal quickly, but we must, as communities and as a nation, have the will and the desire to persevere in all socio-economic levels of our society to bring about change. Communities throughout our country, large and small, are frustrated, angry and fearful and want to do something about drugs. I believe this committee, by conducting hearings such as this, will serve as a catalyst to strengthen and foster our national will in this endeavor.

# # #

EXHIBIT I

ANALYSIS OF TRIAL CALENDARS IN THE SUPERIOR COURT
AUGUST 1986 THROUGH FEBUARY 1989

CALENDAR	PENDING 08/30/86	PENDING 12/31/86	PENDING 08/30/87	PENDING 12/31/87	PENDING 12/31/88	PENDING 02/28/89
FEL.I	33	40	28	38	60	57
FEL.I	38	42	47	34	40	50
TOTAL	71	82	75	72	100	107
AV.	36	41	38	36	50	54
ACF	56	30	32	31	27	29
ACF	37	39	25	27	47	50
TOTAL	93	69	57	58	74	79
AV.	47	35	29	29	37	40
FEL.II	115	150	215	199	232	251
FEL.II	145	208	161	209	281	291
FEL.II	149	187	182	190	305	271
FEL.II	149	196	253	192	263	267
FEL.II	107	220	190	211	232	229
FEL.II	161	201	159	173	199	194
FEL.II	205	174	161	203	258	254
FEL.II	167	211	241	204	238	264
FEL.II	119	213	160	170	250	213
FEL.II	169	159	265	190	239	229
FEL.II	124	214	204	180	245	226
FEL.II	164	159	166	202	261	265
TOTAL	1774	2292	2357	2323	3003	2954
AV.	148	191	196	194	250	246
MISD.	237	270	204	242	326	243
MISD.	266	310	261	277	313	266
MISD.	304	245	211	237	295	317
MISD.	310	345	224	211	268	254
MISD.	265	302	256	273	230	184
MISD.	355	329	279	207	209	220
MISD.	265	330	276	0	0	0
MISD.	451	351	442	363	351	389
TOTAL	2453	2482	2153	1810	1992	1873
AV.	307	310	269	259	285	268

FELONY I CALENDARS INCLUDE: 1ST DEGREE MURDER, RAPE, CONSPIRACY, CHILD VICTIM SEXUAL OFFENSES, ARMED ROBBERY WITH FOUR OR MORE DEFENDANTS

ACCELERATED FELONY CALENDARS INCLUDE: PREVENTIVE DETENTIONS, PAROLE HOLDS, PROBATION HOLDS, CHRONIC OFFENDERS, MULTIPLE DEFENDANT CASES, INTERSTATE DETAINER CASES

FELONY II CALENDARS INCLUDE: 2ND DEGREE MURDER, MANSLAUGHTER, BURGLARY, ARMED ROBBERY, CARRYING DANGEROUS WEAPONS, DISTRIBUTION OF DRUGS

EXHIBIT II

SUPERIOR COURT – DISTRICT OF COLUMBIA

FELONY INDICTMENTS FILED 1982 – 1988

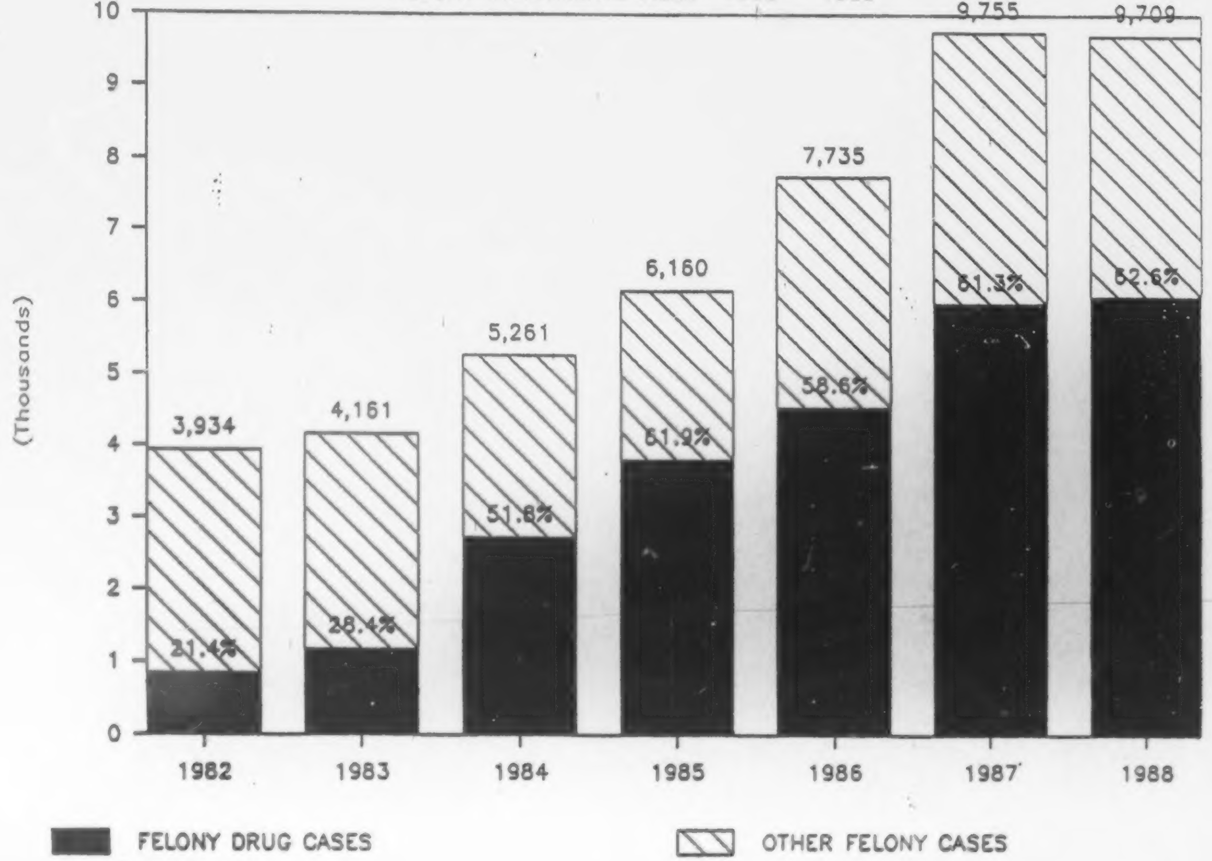


EXHIBIT III

COMPARISON OF COURT CASELOAD AND POLICE STAFFING 1985 - 1990

PERIOD	NUMBER POLICE	MISD. FILINGS	% OF TOTAL FILED	FELONY FILINGS PRE-IND	% OF TOTAL FILED	FELONY INDICT FILED	% OF TOTAL FILED	TOTAL FILED	ARR PER OFF
1985	3,853	19,443	66.7%	9,727	33.3%	6,160	21.1%	29,170	7.6
1986	3,792	16,213	56.3%	12,568	43.7%	7,735	26.9%	28,781	7.6
1987	3,857	16,152	53.4%	14,097	46.6%	9,755	32.2%	30,249	7.8
1988	3,990	14,606	49.4%	14,969	50.6%	9,709	32.8%	29,575	7.4
1989(EST.)	4,055	14,100	47.0%	15,900	53.0%	9,900	33.0%	30,000	7.4
1990(EST.) (700 MORE)	4,755	15,705	45.0%	19,195	55.0%	11,866	34.0%	34,900	7.3

ASSUMPTIONS AND CONCLUSIONS:

1. CASE FILINGS WILL STAY ABOUT THE SAME FOR 1989 BUT THE NUMBER OF FELONY INDICTMENTS WILL INCREASE SLIGHTLY

2. WHEN OFFICERS ARE ADDED IN LARGE NUMBERS, THEY WILL ANNUALLY ACCOUNT FOR ABOUT 7 MISDEMEANOR AND/OR FELONY FILINGS PER OFFICER ADDED

3. THE RATIO OF MISDEMEANOR TO FELONY FILINGS WILL CONTINUE TO DECREASE BUT AT A MUCH SLOWER RATE

4. THE PERCENTAGE OF FELONY FILINGS RESULTING IN INDICTMENTS WILL INCREASE AT A RATE CONSISTENT WITH RECENT YEARS

5. THE INCREASE IN MISDEMEANOR FILINGS, WITH THE ADDITION OF 700 OFFICERS, WOULD RETURN US TO 1986-87 LEVELS OR HIGHER WHICH WOULD REQUIRE AT LEAST ONE ADDITIONAL MISDEMEANOR CALENDAR

6. THE SLIGHT 1989 INCREASE IN FELONY FILINGS COULD BE COVERED BY THE PROVISION OF THE JUDGES NEEDED TO COVER CURRENT NEEDS

7. AN INCREASE OF 2,000 FELONY CASES OCCASIONED BY THE ADDITION OF 700 OFFICERS WOULD REQUIRE FIVE ADDITIONAL FELONY CALENDARS (1,000 CASES WOULD HAVE TO BE TRIED IN 180 DAYS - TWICE A YEAR)

EXHIBIT III A

COMPARISON OF JUVENILE PETITIONS FILED
TO POLICE STAFFING 1985 - 1989

PERIOD	NUMBER POLICE	JUVENILE FILINGS	FIL. PER OFF
1985	3,853	4,492	1.2
1986	3,792	4,690	1.2
1987	3,857	5,127	1.3
1988	3,990	5,456	1.4
1989(EST.)	4,055	5,700	1.4
1990(EST.) (700 MORE)	4,755	6,400	1.3

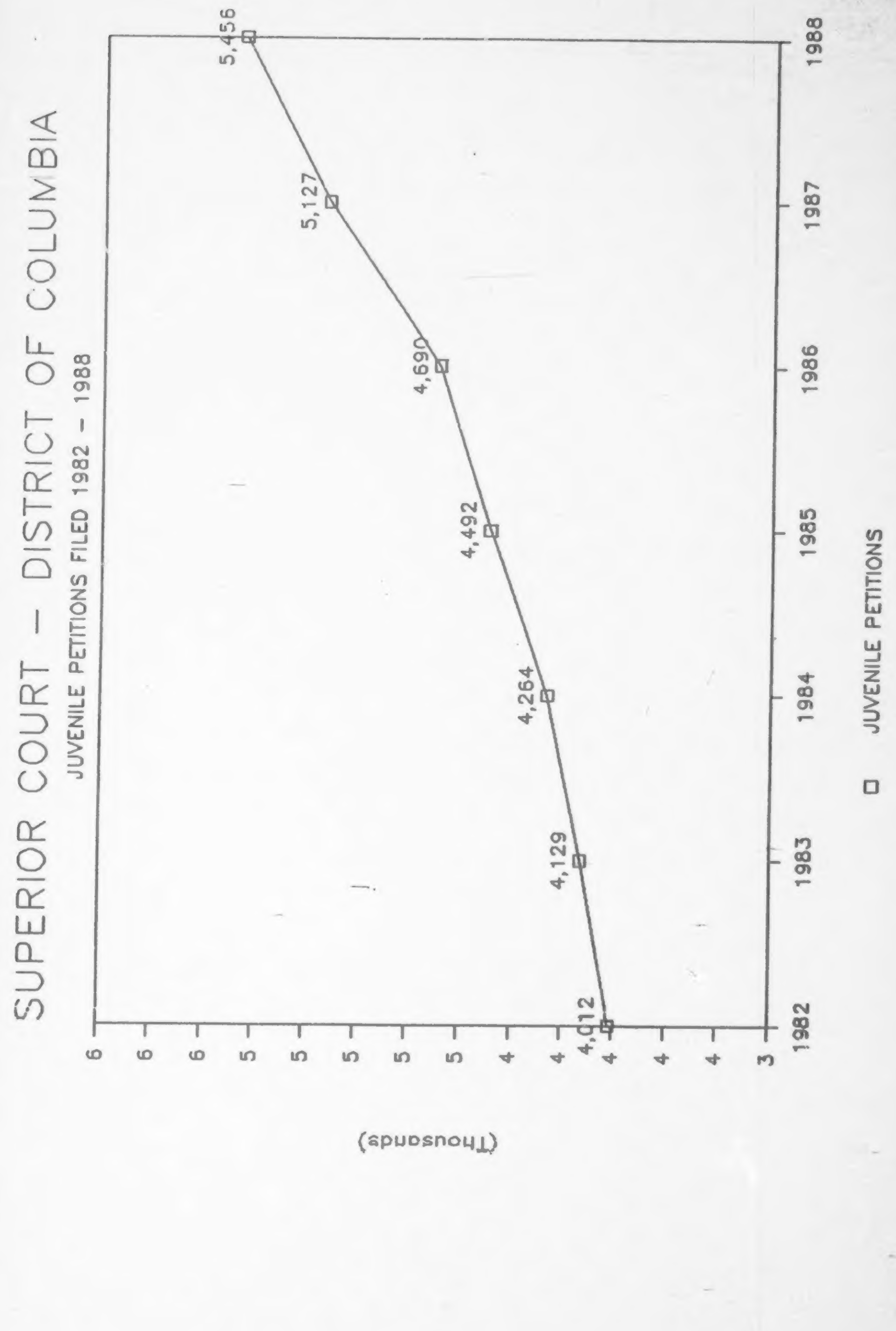
ASSUMPTIONS AND CONCLUSIONS:

1. JUVENILE PETITION FILINGS WILL CONTINUE TO INCREASE AT ABOUT THE SAME RATE IN 1989

2. WHEN OFFICERS ARE ADDED IN LARGE NUMBERS, THEY WILL ANNUALLY ACCOUNT FOR 1 JUVENILE PETITION FILING PER OFFICER ADDED

3. AT LEAST ONE ADDITIONAL JUVENILE CALENDAR WILL BE REQUIRED IN 1990 IN ORDER TO ACCOMODATE THE ANTICIPATED INCREASES

EXHIBIT III B



OHIO DEPARTMENT OF REHABILITATION AND CORRECTION

1050 Freeway Drive, North, Suite 403
Columbus, Ohio 43229

Richard F. Celeste, GOVERNOR

George W. Wilson, DIRECTOR

George W. Wilson, Director

Ohio Department of Rehabilitation and Correction

Testimony before the
Select Committee on Narcotics Abuse and Control
U. S. House of Representatives
Washington, D. C.

May 31, 1989

Chairman Rangel and other respected members of the Committee, it is a pleasure and an honor to share my concerns about drugs and crime with such a distinguished and concerned panel of legislators.

Our prisons are filled with people who provide us with vivid examples of how chemical dependency can take lives and threaten each and every one of us through criminal activity. The addict's inability to compete satisfactorily in the workplace promotes illegal behavior such as robbery, assault, theft, burglary and other crimes. Drugs are shattering the American dream -- destroying young minds and families.

I am the director of one of the largest prison systems in the country; however, my testimony today is not simply about prisons and drug offenders. You see, the wardens of Ohio's correctional facilities are dealing with the tragic endings that began with social issues like poverty; unemployment; high school dropouts; and students who grew up without learning how to read. We see the end result of whole families ravaged by chemical dependency, residing in communities unable to meet the full demand for prevention and recovery services. As a nation, we must face the fact that all these issues are related, and we must address all of them if we are going to solve the problems of drugs and crime.

Under the leadership of Governor Richard F. Celeste, Ohio has set a course designed to deal with the full scope of the problem. The Ohio focus is on education reform, including better pre-school programs, concentration on basic skills, alternatives for youth in trouble, and assured access to higher education for qualified students. The emphasis also is on prevention and increasing Recovery Services programs for the chemically dependent.

In Ohio, as in other prison systems across the nation, we are struggling with the problem of crowding in our correctional institutions. Ohio's inmate population has more than tripled from approximately 8,000 in 1974 to more than 27,400 currently. While chemical dependency cannot be blamed for all the growth, the connection between drug and alcohol abuse and crime is apparent. Cleveland, Ohio is one of 29 cities across the country to participate in drug use forecasting efforts by the National Institute of Justice. Cleveland ranked 10th in percentage of arrestees testing positive for cocaine in 1988. Consequently, it is understandable that many of the 27,400 adult men and women incarcerated in Ohio's correctional institutions and the 14,000 parolees and probationers currently under our department's supervision are in dire need of substance abuse treatment and counseling.

A 1988 joint study by the Ohio Department of Mental Health and the Ohio Department of Rehabilitation and Correction sampled a random representative inmate population and found, conservatively, that almost 40% of the population have psychoactive substance abuse disorders. A look at the populations of individual Ohio correctional facilities gives a more startling view of the scope of the problem.

For example, more than half of the male inmates at the Southeastern Correctional Institution in Lancaster, Ohio are under age 21; all are under age 30. Ninety percent of the 1,400 inmates there have drug or alcohol abuse histories. Most of them started abusing substances when they were nine, ten or 11 years old -- some earlier. Instead of graduating from educational programs they graduated in crime levels. Now in an adult correctional facility, they may be drug-free for the first time in their young lives.

At the Ohio Reformatory for Women in Marysville the figures are similar. Eighty-seven percent of the 1,600 female inmates have substance abuse histories, and in almost 50% of the instances in which visitors have been restricted from coming to the institution in the past 12 months, drugs or alcohol have been directly involved. For example, visitors were caught trying to convey drugs or they were under the influence of drugs or alcohol when entering the institution.

Currently, the heaviest focus in dealing with the drug problem is on stiffer penalties for offenders and building more prisons to house them. Tougher penalites and more prison beds are needed, but that approach is a short-sighted solution. We cannot simply sentence and build our way out of this problem, and nowhere is that more evident than in Ohio. Our state is currently in the midst of its most extensive prison building effort ever, and when the $650-million construction campaign is completed in 1991, we will have more than doubled the number of prisons to 24. Yet our system still will be over capacity by thousands of inmates. We barely will have made a dent in the crowding problem.

Clearly, we must intensify our efforts in prevention and treatment. We must be tough on offenders - yes! But we cannot allow support of prevention and treatment programs to take a back seat in the war against crime and drugs, while we spend billions of dollars to build prisons which are overcrowded even before the cement is dry.

This is the era of definite sentences, mandatory sentences and longer sentences. It is understandable. All of us can relate to the need to feel safe from criminals in our communities, and there's no question that dangerous criminals should be locked up. There's also no question that we are sending record numbers of offenders to prison, and nationally we are struggling with the result.

In 1978, Ohio was incarcerating about 124 criminals per 100,000 residents. By 1988 that incarceration rate had increased to 237 criminals per 100,000 Ohio residents, almost doubling in just ten years. Our prisons are operating at 140% of capacity, and we are experiencing record intake levels. Our intake of new inmates for this year is already 22% higher than last year. Many jails across the state also are trying to cope with the problem of crowding. They are forced to turn away inmates or release them early due to lack of space.

While it is politically popular to call for tougher sentences, it is time to stop the rhetoric and attack the issues of crime and drugs in intelligent, practical, and effective ways. We must realistically evaluate whether our methods are reducing crime. We must answer this question: Are we simply spending billions of dollars to warehouse increasing numbers of people, while concentrating too little on the social issues which are contributing to criminal activity? We must ask ourselves if we are utilizing our costly prison beds effectively. Prison beds should be reserved for serious offenders who threaten our safety. In Ohio prisons, we are seeing increasing numbers of non-violent offenders (such as those convicted of theft), who could be better sanctioned through community corrections alternatives. The options include intensive supervision and programs designed to treat and monitor drug and alcohol abuse.

The focus must be on providing the non-violent offender with structured supervision that promotes public safety, while offering programs which address the contributing factors to crime, such as drug abuse and unemployment. The options for non-violent offenders could include, for example, residence in a minimum security community-based correctional facility or probation coupled with residence in a halfway house. Non-residential options include house arrest, with electronic monitoring, linked with spending daytime hours at centers offering crime-fighting programs such as employment alternatives and substance abuse counseling. In addition, victim restitution and reimbursement to the state for expenses could be incorporated into work release programs for non-violent offenders. More out-patient recovery services programs are needed, and federal grants could be utilized for frequent urinalysis to closely monitor such offenders.

We also must meet the challenge of providing a sufficient number of treatment and prevention programs in prison, and once inmates are released, to help them stay drug-free, find and hold jobs, and become productive citizens. We must be provided with monetary resources consistent with the call for more treatment and prevention programs for the chemically dependent, both in prison and in the community. The task is monumental.

Prior to the Anti-Drug Abuse Act of 1986, our department had initiated efforts by creating a staff position at each correctional facility to focus exclusively on the planning, development and implementation of substance abuse recovery programs. The Anti-Drug Abuse Act provided us with funding to augment our recovery services by adding crucial substance abuse staff (about $500,000 to fund additional staffing for a 14-month period); however, case loads remain high, and record-setting numbers of new inmates are adding to the demand for more services for the incarcerated. In Ohio, we have one to two substance abuse personnel per institution, and some institutions have more than two-thousand inmates. While we are engaged in the battle, our wardens know that we are clearly outnumbered in the war. As one of them put it: "Unless drastic changes and measures are taken, we will only very minimally and negatively have an impact on the future of this state and the whole country. We are in trouble."

Under the leadership of Governor Richard F. Celeste, Ohio is making a concerted effort to combat the substance abuse problem, with an emphasis on treatment and recovery. Legislation has been introduced to establish a Department of Recovery Services, which would focus new resources on the prevention and treatment of alcohol and drug abuse. Another bill would provide new funding for prevention and treatment services through an equivalency tax on beer and wine. Ohio is actively following the lead provided by the Anti-Drug Abuse Act; however, the extent of the problem demands an increased, cooperative effort to address a problem that impacts on every aspect of American life.

Ohio's biennium budget proposal, under current legislative consideration, will enable our department to continue all of its substance abuse positions for one year, eight of them funded through state monies ($270,176) and 13 paid for with continued federal funding ($416,625) for Fiscal Year 1990. Even with the cutback in federal funding, the current programming level represents an extensive cooperative effort between federal and state governments; however, the problem is so extensive, we cannot adequately meet the treatment needs of the current population.

In view of the record intake of inmates and the ever-increasing demand for services, I recommend the following:

1. Increased federal funding to augment state and local efforts responding to the Anti-Drug Abuse Act. The funding would be used to provide additional staffing and facilitate the sharing of information.

2. Increased financial incentives to encourage local service providers to be more responsive to the chemically abusive or dependent person involved with the criminal justice system. Currently community mental health clinics do not meet all the needs. We need incentives to encourage hospitals and clinics to provide out-

patient treatment programs for offenders following their release from correctional institutions.

3. The utilization of increased community sanctions for non-violent chemically dependent offenders instead of incarceration in prison.

4. Increased teamwork through joint education/information exchange among all levels of law enforcement, civic organizations, community service providers and recovery service professionals.

5. The development and implementation of valid and reliable drug testing among offenders, both in prison and in community corrections settings such as halfway houses.

6. Continued efforts toward consumer cost absorption through tobacco and alcohol taxation.

7. Expansion of cooperative research and treatment efforts of those working in the areas of AIDS and chemical dependency.

8. An increase in work release programs for non-violent offenders, which include recovery services, the preservation of the family unit, and victim restitution.

In the area of enforcement, it is time to stop what I call a "nickel and dime approach" to arresting drug offenders. While we primarily target the dealers who sell small quantities of drugs and their consumers, the key suppliers and the financial institutions which launder drug money are getting away. We cannot beat the drug problem simply by concentrating on those who create the demand and small-time dealers who are more than willing to spend time in jail or prison in exchange for the huge monetary profits connected with the drug trade. We also must target the supply end -- those who bring in the drugs and handle the big money. Swift and fair application of justice in drug offenses also is essential. I recommend the establishment of special tribunals or courts to handle the flood of drug offenders currently clogging our judicial system.

Finally, I wish to emphasize that the drug problem is much more than a corrections issue. As director of a corrections department my job is managing thousands of inmates, but I realize each and everyday that I am really dealing with the end result of what happens when students don't graduate; when mothers, fathers, daughters and sons turn to drugs; when family structure breaks down. Until we are willing to develop and fund prevention programs which serve families at risk for EDUCATIONAL FAILURE, SUBSTANCE ABUSE, and UNEMPLOYMENT, we won't be able to build prisons quickly enough to meet the demand. Without adequate prevention and treatment programs for families in crisis, the ever-increasing number of offenders will continue to outdistance us in the race to provide more jail and prison beds. They will continue to flood our courts and prisons, to overburden our law enforcement resources, to threaten the safety and well-being of us all.

We only need to look at the makeup of the inmate population to understand that prisons are dealing with the symptoms of a key community problem: Families in crisis. In Ohio, 75 percent of our inmates do not have high school diplomas, 40% of them cannot read above the sixth grade level. During one recent year (1985 study) more than 50% percent of the men who entered our system were unemployed and more than 70% of the women were jobless. As reflected in national figures, almost 50% of our inmate population is black, even though blacks make up only 10 percent of the general population in Ohio, according to the 1980 census.

David Stockman's "supply-side economics" was meant to stimulate the production of goods and services. Unfortunately, we have taken a "supply-side" approach to criminal justice by stimulating the production of more prisons and more inmates with which to fill them.

As a society, we must address these issues, and in Ohio the work already has begun. A newly formed Governor's Commission on Socially Disadvantaged Black Males, consisting of business, legislative and community leaders, is concentrating on the issues of health, employment, and criminal justice as they relate to the black community. The Commission will submit recommendations to the Governor within a year.

We must recognize the link between social concerns and crime. Teachers, for example, see student failures and so do corrections officials -- only much later in life after they've become juvenile delinquents or career criminals. As taxpayers, we must realize that we should be spending money on prevention early in a child's life so that we can help produce citizens who contribute to society instead of taking from it through crime. It will improve the quality of life for all of us, and it is cost effective to do so.

In 1987 Head Start's pre-school program spent about $2,600 per child nationwide.

The cost of education in Ohio for grades 1 - 12 was about $3,600 per student during the 1987-88 school year.

The average cost of undergraduate tuition, room and board at America's public colleges and universities was about $4,000 during the same school year.

All three of those cost figures added together do not equal the $11,346 Ohio spent during 1988 for each inmate incarcerated in its adult correctional facilities (average cost per inmate).

I have been asked to discuss the costs of drug abuse as it relates to prosecution, courts and prisons. My answer to that question is the real costs -- the economic and social ones -- are immeasurable. How do you put a price tag on the emotional and physical loss a family suffers when the bread winner becomes irreversibly ill, dies or is sent to prison as a result of drug abuse? How can we possibly estimate the emotional and physical cost of citizens victimized by drug dealers and users? How do we put a value on young minds that are altered and bodies that are destroyed by substance abuse? The only thing we know for certain is the price is too high.

We must work together to implement strategies for change. We must rearrange policy priorities. We must develop a criminal justice initiative focused on public safety and community objectives which will mean a better quality of life for us all.

Chairman Rangel and other members of the Committee, I thank you for this opportunity to testify before a distinguished panel of lawmakers who are part of the solution in the war against drugs and crime.

REMARKS PREPARED FOR THE
U.S. HOUSE OF REPRESENTATIVES
SELECT COMMITTEE ON
NARCOTICS ABUSE AND CONTROL

ROOM #2 - 234, HOUSE OFFICE BUILDING ANNEX 2
WASHINGTON, D.C. 20515

SPEAKER: WARREN G. WOODFORK, SR.
SUPERINTENDENT OF POLICE
NEW ORLEANS POLICE DEPARTMENT

MAY 31, 1989

Drug use and abuse is the most insidious and pervasive problem facing police chiefs and city fathers throughout this country. This epidemic is invading the fabric of urban life from Los Angeles to New York with no city in the country remaining untouched. The circumstances vary from location to location, but one axiom appears to be holding true: The larger the city, the larger the drug problem. Criminal justice professionals have watched this situation grow in nature and complexity. Attacking it has proved to be a monumental task, as the problem has taken on a life of its own. It is adaptable to changes in lifestyle and it responds to varying levels of supply and demand. It is this flexibility that makes the eradication of drug abuse such a baffling task. Established institutions such as police departments have found that they must also be flexible, creative and constantly changing in their methods. This is no easy task, but it must be done because traditional techniques must be enhanced if we are to make an impact.

My report will present information on the status of the drug problem in the City of New Orleans. We share many "big city" characteristics with Detroit, Washington D.C., Memphis and others such as a large inner city area where minority residents live in low income neighborhoods. Urban youngsters quickly learn that drugs are used to escape the grim reality of the slums. Housing developments have become the recruitment headquarters for mid-level dealers. Yet, New Orleans is unique. We are a port city with points of entry for foreign shipments. The city is old, yet beautiful in certain carefully preserved areas. The citizens are proud of their ability to attract and entertain tourists. It is my hope that other metropolitan areas will learn from our experiences. Our successes and our failures are well documented. We face the same on-going struggles as other cities. If a technique works, we try to find the funds to continue the operation. If it does not, we pull together the finest talent that we have and we formulate a new strategy. It is an exhausting task.

THE EFFECTS OF CURRENT ENFORCEMENT ACTIVITIES

The drug problem in New Orleans has brought about a situation that is akin to that of a natural disaster. The onslaught would have been difficult if not impossible to predict. Without adequate notice, long range planning procedures were never put into effect. Few police departments were prepared for what happened in the world of cocaine marketing. The phenomenon "crack", the drug of the 1990's, was unknown to law enforcement in Southern Louisiana as recently as 1986. In 1989, it is at the core of an epidemic that has more lethal capacity than the AIDS virus. Local police departments are the first line of defense in this drug war. If effective, immediate action is crucial, it must take place at the local level. This is a local problem, but a problem that exists everywhere in this country. Urban police departments know their city and its inhabitants. No governmental entity understands where and how to direct the offensive better than local law enforcement. It should be recognized that these inner city police departments have the lowest resources-to-need ratio of any entity, yet they continue to be the most effective enforcement arm.

Crime statistics for the first quarter of 1989 were recently released by the New Orleans Police Department. Overall crime increased by 14.2% as compared to the same period in 1988. Every category experienced an increase with the exception of rape. We consider no increase acceptable, but frankly some categories show increases that are particularly alarming. These increases are in the areas of personal, violent crimes and they are almost directly attributable to the trafficking of drugs, particularly crack cocaine, in our city. The rate of homicides increased 27.7%, robberies increased almost 26% and assaults rose by 15.3%. The role played by drug use and trafficking should not be underestimated.

There appears to be two types of attendant violence associated with drug activity. Offenders are frequently high on drugs when they commit crimes. These street level users are preying on the public in order to support their habit, and their encounters with the public frequently escalate because of the offender's agitated state of mind. Robberies and rapes often escalate to murders because of the perpetrator's mind set. It is impossible to provide a truly accurate determination because although we are proud of our arrest rates, not everyone is apprehended. Even when a perpetrator is arrested, their drug use cannot be documented unless they have used an illegal substance shortly before their arrest. We do not know the extent of their use at the time of the actual offense.

The second type of violence that is associated with drug trafficking manifests itself in drug deals gone sour. Recent statistics reveal that inner city residents are more likely than ever to kill each other over an interrupted drug transaction. The percentage of murders related to drugs has increased from 52% of all murders in 1986 to 70% in 1987 and so far this year, 75% of all murders have been drug related. The financial rewards of drug trafficking are great, but mortality rates among key players are particularly high because of the greed and revenge tactics that are characteristic of most traders. Not surprisingly, a lack of cooperation make these crimes difficult to solve.

Despite these inherent limitations, the police department is impacting the problem by maintaining a high arrest rate. During the first quarter of 1989, arrests were up 12.5% over the same period in 1988. Narcotics arrests rose nearly 50% when the two time periods were compared. This situation has been exacerbated by the involvement of significantly increased numbers of juveniles. Juveniles are first introduced as runners or go-betweens and they are often placed at great risk. They are seen as expendable. The drug dealers are also aware of how easily the release of a juvenile is obtained. There has been a 41% increase in the number of juveniles arrested during the first quarter of 1989 as compared to the same time period during 1988. The police department is obviously only one component in an already overburdened criminal justice system. Increased enforcement exerts pressure on the entire system almost immediately.

The District Attorney's Office reviews every arrest made to determine what cases will be accepted for trial. The most efficient use of scarce resources has led to an emphasis being placed on street level dealers. 70% of all state charges involve crack and the department has enjoyed a 90% acceptance rate. The impact has been felt immediately and the District Attorney's office has sought relief through federally funded special projects. More will be said about this in a subsequent section on the role of grants.

Each perpetrator must be afforded due process in the court system. The system is, however, clogged with drug cases to be tried. The criminal court system has also received federal help in handling the increased workload. Our existing system has been overwhelmed. An influx of federal assistance was desperately needed and fortunately it was forthcoming.

The criminal justice system comes full circle with a discussion of the role of corrections in narcotics enforcement. The Criminal Sheriff's office is responsible for detaining offenders both before their trial and after conviction, pending their release to a state correctional facility. Despite their, as yet unresolved, overcrowding problems, the sheriff has agreed to participate in the "Drug Use Forecasting System" or D.U.F., a project funded by the National Institute of Justice and the Bureau of Justice Assistance. A urine analysis test is done four times a year on new arrestees. There are 20 other cities participating.

The samples are sent to labs and the results are analyzed. The purpose of the project is to monitor drug use trends among urban offenders arrested for serious crimes but not narcotics offenses. The result has been to document the correlation between drug use and criminal behavior. In New Orleans, 72% of male arrestees tested positive for any drug during the time period from June to November 1987. Although tests show marijuana as the most common drug, the City of New Orleans has a substantial cocaine problem. One-third of the arrestees tested positive for cocaine.

Needless to say, all correctional facilities in Orleans parish (county) are at full capacity. The criminal sheriff also houses state offenders because Angola, the state correctional facility, is full. The sheriff houses dangerous felons in an area referred to as "tent city". Its only walls are barbed wire. In order to keep the most dangerous post adjudicated offenders incarcerated, persons charged with lesser offenses have simply been released. It is difficult to assess the effect this has had on the safety of the community.

This revolving door situation extends to the juvenile jail population. In some ways the situation is worse. Juveniles are increasingly involved in more dangerous criminal activity, yet the facilities to house them are more limited than ever before. There are only 124 beds available for juvenile detainees in New Orleans. Generally, 95% of these youngsters are adjudicated, but the state correctional institute has no available space and they spend their entire sentence in a parish (county) level correctional facility. This poses an obvious problem when more arrests are made. NOPD vehemently opposes releasing a serious felon such as an armed robber to the custody of his parents. Juvenile court judges must decide who will be freed to allow for a new arrestee. The more arrests the police make, the more log-jammed the system becomes. In 1988, police officers arrested 5,555 juveniles with 5.4% of them charged with narcotics offenses. If the rate of arrests for the first quarter of 1989 continues, 6,544 juveniles will be charged. The system cannot handle it. Those of us intimately involved in the criminal justice system are astonished that it functions as well as it does.

THE FEDERAL ROLE IN LOCAL LAW ENFORCEMENT

To suggest that local jurisdictions have no right to request federal assistance during times of crisis is to philosophically attack the concept of federal disaster relief during times of national emergency. The use of crack is a national emergency. Local law enforcement is engaged in a war with drug dealers that they are not winning. Local resources must be augmented or the scales will never tip in favor of established authority. The city of New Orleans has experienced the same suburban flight problems as other major cities. Daytime workers, night revelers and neighborhood residents are demanding city services when the stable tax base no longer exists to support them. The federal involvement through the grants process has been fruitful. We have used the money wisely and productively.

The Anti-Drug Abuse Act of 1986 and 1988 has pumped 2.1 million dollars into the criminal justice components of this city. This includes 16 state block grants and two discretionary grants. The District Attorney's office received $400,000.00 in discretionary funds to start a Narcotics Strike Force Project. This is basically a vertical prosecution program where a specialized unit takes a case from its entry into this system all the way to the appeals process. The grant also purchased equipment which has been used by police officers to bring offenders into the system. The goal of the project then is to expedite the arrest and prosecution of street level users and dealers through a joint effort between the Police Department and the District Attorney's office.

A second discretionary grant was obtained in July of last year. The impact of the increased enforcement effort would be felt immediately in the courts system. $720,000 was allocated to begin the Criminal Courts Drug Case Adjudication Program. Its purpose was to prevent a backlog of cases. Retired district court judges were hired to act as adjunct protem judges who would hear cases made by the Narcotics Strike Force. Support personnel were hired to ease the administrative load. These projects are completely dependent on federal assistance for their survival.

The Police Department has been unsuccessful in its attempts to secure discretionary funding. With the assistance of the Mayor's Office of Criminal Justice Coordination, we have been able to secure modest funding through the cumbersome state block grants-in-aid program. The Narcotics Intensification Program or NIP was funded at the level of $350,000.00. These grant funds were used to finance a Narcotics Task Force of over 100 officers. This Task Force operated from October 25, 1988 through January 24, 1989. They netted over 2,100 arrests, 69% of which were for narcotics. Among the narcotics arrests, 73% were for crack/cocaine. Another 9% involved a combination of cocaine and marijuana. This successful operation would have been impossible without federal funds.

The police department has used its grants as part of an on-going learning experience. We learned a great deal about the depth and complexity of the problem as a result of this operation and its emphasis on drug related intelligence gathering. On March 12th of this year, a reorganization of the Police Department was undertaken. The Narcotics Squad was transferred to the Criminal Investigations Bureau (CIB) and its contingent was beefed up from 25 to 58 officers. This transfer was not accomplished without sacrifice. The

Crimes Against Property sections were drastically cut to accommodate the changes. Our commissioned force is only some 1,300 strong. We police a city that swells to one million during the work day. A decision was made to emphasize narcotics enforcement at the expense of other functions. Difficult decisions must be made when scarce resources have to be stretched to handle a crisis.

Our Crime Lab support services were helped by two state block grants. Although both were for small amounts (approximately $20,000.00 each), these grants made much needed improvements possible for a small but overworked laboratory. Automation and computerization were made possible. Without the Anti-Drug Abuse Act, these improvements would not have been possible.

It is obvious that we have benefitted greatly from the federal funds that we have been awarded. I do, however, have a few suggestions as to how the process could be made even more beneficial to the criminal justice community. In 1987, the drug funds stood alone as a funding category and their allocation was controlled by the Department of Justice directly. In subsequent years, however, a decision was made to lump the Anti-Drug funds in with the money controlled by the Bureau of Justice Assistance (BJA). The overall allocation was increased and drug projects were given priority status. The effect on other general criminal justice projects has been devastating. Projects dealing with Career Criminals or Informational Systems have virtually gone to the wayside. The "stand alone" status of drug funds should be reinstated. Narcotics enforcement has been elevated to superior status but it is still not the only issue that faces modern law enforcement today. General projects' categories should be restored to previous levels.

Some of the federal rules and regulations should be reexamined for appropriateness. For example, surveillance vehicles are desperately needed. We were informed that the purchasing of vehicles was not allowed. We then devised a plan for renting dilapidated vehicles from a local agency. This seemed to be a perfect compromise. These "rent-a-wrecks" were very inexpensive and proved themselves to be valuable in preserving the officers' anonymity. In short, they were not easily identified as police vehicles. We were then informed that the leasing of vehicles was also not allowed. Supplanting was certainly not an issue in this case. We could easily document that these were not to be used to replenish our patrol fleet. Surveillance vehicles are a highly appropriate expenditure for any narcotics enforcement project.

More discretionary projects are needed at the local level. The state block program can be an administrative nightmare for large urban areas. Formulas for allocation at the state level sometimes overly compensate for the needs of the rural parishes (counties). Rural politicians are certainly not without their fair share of influence in this process. In their attempts to be "fair", state legislatures lose sight of the fact that the large cities deserve most of the funds because they experience most of the problems of drug trafficking. The interests of rural vs urban parishes have clashed in state legislatures since the end of the Civil War. Money should go where the need is greatest.

There is no way to emphasize strongly enough that drug use, abuse and trafficking should be attacked with local police in the forefront of the offensive. Local law enforcement welcomes the involvement of federal agencies such as DEA, Customs and the U.S. Marshalls' office but local police departments must be the lead agency. It is their communities which are being destroyed from the inside out. Federal funding allocations have not reflected an understanding of this crucial operational philosophy. Funds have been given to federal agencies that should have been earmarked for localities. Most of us in local law enforcement are baffled by the recent allocation of substantial funds to the National Guard. The front line in this war is desperate for resources. We are asked to detail some of our more talented investigators to federal law enforcement. The sharing of manpower is never reciprocated. Often these officers never return because they are naturally lured to federal employment by higher salaries, more available overtime and a better benefit package. I am losing talented officers as fast as I can train them. We must encourage cooperation at every level of the criminal justice system. More direct funding of local projects by the Department of Justice would go a long way towards improving this relationship. If this bill is to have a long range impact, local law enforcement must be its first priority.

There is a significant way in which the federal government could assist localities without allocating additional funds. Uniformity is needed in dealing with the issue of asset forfeitures. Seized assets can be a valuable source of funds for police departments. In the past, we have asked DEA to seize the funds administratively to insure that local police receive at least a portion of those funds back after the case has been tried. We would like to see the federal laws strengthened. DEA has informed NOPD that when state legislation governing asset seizures is enacted, federal agencies have been instructed to honor these state laws. Ideally, the option should exist to handle the funds either federally or to process them according to state guidelines. We do not want to lose this valuable source of funds.

We see the role of the federal government as a clearly defined one. The United States is facing a blatant national disaster with long term negative consequences. Disaster relief was the response when Hurricane Betsy and Camille hit this part of the Gulf Coast. There should be no hesitation now. More lives are being lost. The only question troubling decision makers at the federal level should be how to best allocate the money to local criminal justice systems not whether to allocate at all. Anyone who does not think local law enforcement needs additional resources simply does not grasp the gravity of the situation.

A POLICE VIEW OF CORRECTIONS

Our prisons, just like those of any other major city, have become revolving doors. The police department has long been active enough in its arrest activity to keep all of the correctional facilities in the state full, all of the time. Someone must be released before someone else is admitted in all of the states post adjudicated correctional detention facilities. We cannot help but recognize the strain we are placing on corrections with our increased enforcement efforts. The simple answer to this question is an expensive one. More facilities must be built for both adults and juveniles. The revolving door has to be slammed shut.

It is often difficult for police officials to comment on other corrections issues such as rehabilitation or job training. We deal with the immediate victims of this crisis. It is the role of law enforcement to be most concerned with the immediate situation. In what might be called a hard line stance, our goal is to see drug traffickers and their associates incarcerated. Rehabilitation within prison walls would be supported by law enforcement and we advocate frequent testing for parolees or probationers with the result of infractions being the revocation of freedom. We would favor the "boot camp" concept as an alternative to release for first offenders who have only been convicted of possession. Basically, we support the spirit and legality of determinant sentencing.

The D.A.R.E program in Los Angeles has shown that education can be used to discourage the very young from becoming involved in drugs. It is extremely difficult, however, to convince the low income youngster that drugs are not his only escape from the ghetto. Children see that the drug dealers in the neighborhood have money, cars, clothes and jewelry and they did not have to work hard to get these outward expressions of "the good life". The working poor who struggle to get ahead are seen as fools and it is difficult to get young people to work for minimum wage when the neighborhood drug dealer pays top dollar. The young do not grasp the fact that the dealers are only prosperous for the moment. Their future consists of jail or death. These youngsters live in the present. The Police Department sees the results.

Certainly rehabilitation, training and education are needed but I must emphasize that the adequate funding of the crucial components of local criminal justice system must be given the highest of priorities. To use a New Orleans, cliche', we are busy saving drowning victims, we do not have time to build levees. Local law enforcement, prosecution and corrections must be considered first. The system is in danger of screeching to a halt.

THE COST OF FIGHTING THE DRUG WAR

The police officer is the first person that the drug dealer or user encounters when he or she makes that first entry into the criminal justice system. It is for this reason that we looked to our personal services budget for the initial estimate of costs incurred. $6,012,596.42 is spent yearly to employ those officers whose time is exclusively devoted to narcotics enforcement. This also includes the support personnel desperately needed behind the scenes. Patrol officers who happen to make a narcotics case are excluded. This six million dollar figure also does not include equipment used, supplies needed, contractual agreements entered into or civilian employees who may have been involved in an operation.

The District Attorney's office spends approximately 43% of its overall budget to handle and prosecute narcotics cases. The dollar amount figures to be $1,677,000.00 a year. The court system is then responsible for trying these cases. The Criminal Court system in Orleans Parish spends roughly 43% of its city and state revenues on narcotics cases. This represents a dollar figure of $708,073.69. Any estimate of the cost of corrections must include a cost per day of housing prisoners. The Criminal Sheriff estimates that it costs him $18.25 a day to house and feed each prisoner under his control. The Sheriff houses a total of 3,725 persons, 1,377 of which have been charged with narcotics offenses. This represents a cost of $25,130.25 per day and $9,172,541.25 per year. After some rounding, the total cost for a one year period is $17,570,000.00 per year. It is important to remember that these are direct, calculable costs and should be considered as conservative estimates. The Drug Use Forecasting study revealed that 75% of booked offenses had some type of narcotic in their system. The true cost of handling narcotic related crime is probably closer to 75% of each of these agencies' budgets. This figure would be closer to 50 or 60 million dollars.

The indirect costs of the drug problem are impossible to estimate. The social costs are unestimated. How do you put a dollar figure on wasted lives or lost productivity? Police officers have been hurt or killed fighting this war. Innocent civilians have been victimized. People are afraid and lives are disrupted. The quality of life in urban America may have been irreparably damaged.

CONCLUSION:

AN INTERDEPENDENT APPROACH TO NARCOTICS ENFORCEMENT

Our mayor established a Coalition Against Drug Abuse in February 1989 and charged it with developing a comprehensive plan and specific recommendations for addressing the problems of drug abuse in New Orleans. This preliminary plan will encompass components dealing with education, treatment and law enforcement. We believe we must have a comprehensive approach.

No agency at any level can begin to impact the narcotics problem alone. We are only as strong as our weakest link. Everyone will have to get involved or we will not be able to marshall our resources to launch a coordinated effort. All urban areas including the City of New Orleans have been fighting some serious financial problems. In order to simply maintain funding levels at the police department, other city agencies face devastating cuts. Our city has already determined that law enforcement is its first priority. I am sorry to say that other emergency services such as the Fire Department have not been spared the ax. In fact other criminal justice agencies have experienced cutbacks so that the budget for police could remain untouched. Social services have been hit hard. The Recreational Department was one of the hardest hit. Youngsters without an outlet for their energies will turn to drugs even faster. We certainly need to work more closely with the School Board to develop drug education campaigns. It is important for those of us in law enforcement to see the role of other city agencies. No one operating in a vacuum can hope to be effective.

The various components in the local criminal justice system must learn to work together. The two discretionary grants that have been awarded to the City have encouraged active coordination and cooperation among the police, the district attorney and the courts. More efforts such as these are needed. Corrections must be included in this networking concept.

Several multi-jurisdictional operations have already been attempted. The level of cooperation between adjacent law enforcement jurisdictions has been high as evidenced by the successful operation of the Narcotics Task Force earlier this year. A significant role was played by our neighboring parishes' police departments. We have also enjoyed a good relationship with the federal enforcement groups working in New Orleans. We have experienced unprecedented amounts of interagency cooperation when task force operations on a broader scale have been launched. NOPD currently has several officers assigned to DEA and one to the Marshalls.

Cooperation, the sharing of resources and the exchange of information are beneficial to everyone.

An interdependent approach is the only kind of approach that will work on a problem of this sort. Federal involvement is crucial. A shot in the arm in the form of federal funding is sometimes needed to attack a specific problem. We need discretionary grants that target local agencies as the lead agencies. We know the problem; we know the areas hardest hit and we know how to start turning the tide. Let us work for you, through you and with you. We want to be partners with the federal government in fighting this war.

As law enforcement officials, we realize that we are only treating the symptoms of deeply rooted socioeconomic problems. Police Departments cannot be expected to attack the problems of poverty and inadequate education. It is our job to treat the immediate crisis. We are out-financed, out-gunned and out-manned by the drug distribution networks, but we will not turn our cities over to them.

P

STATEMENT OF CONGRESSMAN JAMES H. SCHEUER
HEARING ON DRUG ENFORCEMENT AT THE LOCAL LEVEL
THE SELECT COMMITTEE ON NARCOTICS
MAY 31, 1989

Mr. Chairman:

I would like to welcome the distinguished group of Mayors and other public officials who have joined with us to talk about the drug enforcement and criminal justice crises in our nation's towns and cities.

All of us who have been working to reduce the blight of substance abuse recognize the importance of domestic law enforcement.

I would like to commend the law enforcement community for recognizing in recent years the fact that we cannot win the war on drugs until we provide vulnerable youth with hope for success in mainstream America.

Disadvantaged youth need Head Start, job training and more financial assistance for higher education. I am impressed with efforts made by some law enforcement communities to provide vulnerable youth with an alternative to drug abuse.

The New York City Police Athletic League (PAL) has been at the leading edge of these efforts. By establishing Head Start programs and safe havens for after school study, PAL has offered some of the most disadvantaged kids hope and promise. These efforts badly need to be expanded.

I am pleased that Bob Morgenthau, District Attorney of the County of New York and President of PAL, could join us today. In addition to talking about the severe, drug-related, criminal justice problems facing the City of New York, I hope that we will have time to talk about the success of the PAL programs.

STATEMENT OF

JOE D. WHITLEY
ACTING ASSOCIATE ATTORNEY GENERAL

BEFORE THE

SELECT COMMITTEE ON NARCOTICS ABUSE
U.S. HOUSE OF REPRESENTATIVES

CONCERNING

THE DRUG ENFORCEMENT CRISIS AT THE LOCAL LEVEL

ON

MAY 31, 1989

Mr. Chairman and Members of the Subcommittee --

I welcome the opportunity to be here today to discuss the impact of drug abuse and drug trafficking on the criminal justice system at the local level. The Chairman, in his letter requesting testimony from the Department of Justice, set out a series of excellent questions which he asked us to address. While we do not have definitive answers to all of the questions posed, we have supplied the Committee with a series of six Department of Justice reports and fact sheets which furnish substantial detailed information regarding federal discretionary and formula drug grant programs, drug use histories of state prisoners, and statistical profiles of federal drug defendants. Several of the Chairman's questions are addressed in the body of this prepared statement.

By way of an overview, I should note that state and local law enforcement account for from 90 to 95% of the aggregate law enforcement effort in the United States. The federal involvement in the drug area is greater than in most other areas of law enforcement but even here the federal role is primarily one of attempting to penetrate and disable international and interstate drug trafficking and money laundering rings.

IMPLEMENTATION OF THE DRUG CONTROL AND SYSTEM IMPROVEMENT ACT

The Anti-Drug Abuse Act of 1986 and the subsequent Anti-Drug Abuse Act of 1988 both authorized a Formula Grant Program, which is allocated 80 percent of each fiscal year appropriation and a Discretionary Grant Program which is allocated the remaining 20 percent of annual appropriations. The Department's Bureau of Justice Assistance (BJA), within the Office of Justice Programs, developed and distributed formula grant guidelines to the states on December 16, 1988. The states subsequently developed and submitted their FY 1989 applications and statewide strategies. BJA has reviewed the applications and made all FY 1989 formula grant awards to the states, totalling $118.8 million. The states are now in the process of awarding their FY 1989 subgrants to state and local government entities. BJA issued its FY 1989 Discretionary Grant Program plan on January 9, 1989, which identified program priorities for approximately $29.7 million in available drug control discretionary grant funds. All applications for FY 1989 funds are either awarded or are in the final review state. It is anticipated that all funds will be awarded within the next month.

Efforts are already underway by BJA for FY 1990 program development and implementation for both the Formula Grant and Discretionary Grant Programs.

The past three years' activities have produced significant improvements at the state and local levels as a result of this Federal assistance. Programs funded through the Formula Grant Program have significantly enhanced the drug enforcement, prosecution and treatment capabilities of state and local governments. BJA's Discretionary Grant Program has demonstrated the value of focused enforcement initiatives, such as Crack Task Forces, established organized crime drug trafficking projects, statewide drug prosecution programs, drug testing of pretrial detainees and the Drug Abuse Resistance Education (DARE) program.

In summary, since FY 1987, this Federal assistance program for state and local anti-drug activities has totalled $441 million. [1] The Administration has requested $150 million for this program for FY 1990. Additionally, the President has proposed in his Comprehensive Crime Control Act of 1989 that state formula grant awards be increased by 5 percent for each state which adopts model legislation requiring mandatory minimum sentences for criminal offenses involving firearms. Much has been accomplished, but the magnitude of the drug problem requires that efforts at the state and local levels must continue to keep drug control a priority responsibility.

---

[1] Funds available: FY 87-$223 million; FY 88-$69.5 million (funding lower as FY 87 funds were not subgranted by states until late in FY 87, therefore funding for FY 88 was not required at FY 87 level to maintain program integrity; FY 1989-$148.5 million.

FEDERAL AND LOCAL PARTNERSHIP IN NARCOTICS CONTROL

BJA's formula grant program is allocated 80 percent of available funding each fiscal year. Each state is required to pass through a specific percentage of their formula grant to units of local governments, based on the cumulative share by local governments of total criminal justice expenditures in the state. The state strategy process, established by the Anti-Drug Abuse Act of 1986 and continued by the Anti-Drug Abuse Act of 1988, requires the states to involve local drug control officials in the development of the required strategy. Forty states have established a drug coordination board to direct the development of the strategies which include significant representation of local drug control agencies. Further, the Bureau of Justice Assistance (BJA) encouraged the states to assess the needs of jurisdictions with populations of 250,000 or more and to request that those same jurisdictions review the final strategy. The Department feels that this process is an effective means of enhancing and coordinating the efforts of Federal, state and local drug control programs.

An example of a major activity funded through BJA's formula grant program that produces significant improvements at the state and local levels is the establishment and enhancement of over 700 multijurisdictional task forces, predominantly at the local level, which include Federal investigators and prosecutors. These task forces have provided drug investigative and prosecution resources to many jurisdictions that have very limited drug control resources, particularly in rural areas of the nation.

BJA's discretionary grant program supports targeted enforcement programs in local jurisdictions throughout the country, including Crack Task Forces, narcotics enforcement in public housing, urban street gang trafficking enforcement, and demand reduction activities, such as Drug Abuse Resistance Education (DARE) training.

In sum, the Drug Control and System Improvement Grant Program continues to identify and address the priority needs of local jurisdictions. In support of the drug control efforts of state and local governments, BJA has provided and will continue to provide extensive training and technical assistance to local drug control professionals to enhance their abilities to address their drug problems.

SPECIALIZED FEDERAL ROLE

As the District of Columbia Metropolitan Police Department alone has more sworn officers than the Drug Enforcement Administration, our ability to control street-level narcotics activities in the thousands of neighborhoods of the nation is limited at best. Obviously, to the extent that we can seize multi-ton shipments of cocaine or tens of millions of dollars in drug proceeds, as we have done in cases such as Operation Polar Cap, federal enforcement operations are highly beneficial to the efforts of state and local law enforcement. In short, federal cases against major drug syndicates are important to the nation's comprehensive anti-drug effort. Most of the major federal investigations and prosecutions of large-scale drug trafficking and money laundering syndicates are carried out through the Organized Crime Drug Enforcement Task Forces (OCDETF) with which this Committee is most familiar.

Federal anti-drug enforcement efforts at the local level consist primarily of cooperative ventures whereby federal agents work with state and local law enforcement in anti-crack, anti-gang, and other task forces, often through the Law Enforcement Coordinating Committee (LECC) mechanism. Through these efforts, we are able to have a more direct effect on particular local crime problems and to make strong federal forfeiture, drug and other laws available in dealing with local crime problems.

FEDERAL FORFEITURE AND EQUITABLE SHARING

The level of cooperation and coordination of federal, state and local law enforcement efforts has increased dramatically in recent years. Although we do not claim to have achieved perfection, there has in most areas been a "sea-change" in the relationship among federal, state and local law enforcement. Several factors account for this enhanced cooperation including the Law Enforcement Coordinating Committee (LECC) program commenced by Attorney General Smith in response to the recommendation of the Attorney General's Violent Crime Task Force in 1981. Under the general supervision of the U.S. Attorneys, these Coordinating Committees, established in every federal judicial district, provide a forum in which representatives of all levels of government meet periodically to develop district-wide priorities and operating plans. The Committees also provide a forum for the discussion and resolution of disagreements and disputes which might otherwise simmer for years, unresolved.

Perhaps one of the biggest factors in improved law enforcement cooperation was the enactment by Congress in the 1984 crime bill of President Reagan's proposal to authorize state and local law enforcement agencies to share in federal forfeitures. Prior to 1984, whenever there was a joint investigation resulting in a forfeiture, the federal government kept all of the bounty as there was no legal authority to share federally forfeited property with state and local agencies.

In the first year of activity under the new equitable sharing statute, Fiscal Year 1986, the Department of Justice shared $24.4 million with state and local law enforcement agencies, about $19 million in cash and $5.4 million in property, primarily motor vehicles. In Fiscal Year 1987, the volume of equitable sharing more than doubled to $63.5 million, $46.8 million in cash and $16.7 million in property. In Fiscal year 1988, equitable sharing exceeded $104 million, $76.3 million in cash and $27.7 million in property. Current estimates are that total sharing in Fiscal Year 1989 may reach $150 million. Bear in mind that these figures are only for the Department of Justice. The Customs Service has similar sharing authority and has shared additional millions of dollars with cooperating state and local law enforcement agencies. I will defer to representatives of the Department of the Treasury to address Customs forfeitures and equitable sharing.

We expect that federal forfeiture and related equitable sharing will continue to grow in the months ahead as additional federal resources are devoted to seizure and forfeiture of property. In this regard, the DEA has established a series of Asset Removal Teams stationed throughout the country whose assignment is to identify and seize properties subject to forfeiture. Due to the success of these teams, DEA expects to seize properties valued in excess of $1 billion in FY 1989. The FBI has also established similar Forfeitable Asset Seizure Teams and recently held a training conference for the FBI Teams.

Two recent equitable sharing cases demonstrate the importance of the sharing of federally forfeited property. In New York State, Attorney General Thornburgh recently shared over $20 million with the New York State Police, New York City Police and other law enforcement agencies which played a major role in the seizure of nearly $30 million from money launderers and drug traffickers in three cases. Obviously, sharing of this magnitude dramatically improves the ability of state and local agencies to enhance drug enforcement. In another recent case, President Bush presented sharing checks totalling almost $10 million to several California and Arizona law enforcement agencies which worked with the DEA and Customs Service on major drug trafficking and money laundering cases.

One problem we have encountered is that our ability to identify and seize forfeitable properties outstripped our ability to process those cases through the forfeiture system. Particularly in the area of judicial forfeitures, we simply had more cases than we did federal attorneys to pursue them in the courts. Congress, in the Anti-Drug Abuse Act of 1988, provided $22 million in new resources for our U.S. Attorneys' Offices to finance 175 new Assistant United States Attorney positions and 175 support staff positions dedicated to the processing of judicial forfeiture cases. These positions have been allocated among our 94 United States Attorneys Offices. Most of the new attorney positions and many of the support staff positions have been filled and a series of regional training conferences conducted to make these new personnel productive as quickly as possible. In short, we expect to see a very substantial increase in federal forfeitures over the next few months as these new attorneys and support staff work to clear up the backlog of pending seizures. There are other initiatives underway to expand and expedite our processing of forfeiture cases.

Forfeiture is one of the most dramatic and effective law enforcement tools available to us today. Not only is forfeiture of the instrumentalities and proceeds of drug trafficking perhaps the most effective means of permanently disabling drug trafficking and money laundering syndicates, but it also helps to finance enhanced state and local drug enforcement efforts. In short, we are re-investing the profits from forfeiture in drug enforcement efforts that will lead to more forfeitures. This was the basic idea of the 1984 forfeiture amendments; to establish a system in which successful forfeitures would finance more law enforcement which would beget more forfeitures in a "snowball" effect. I think we are only beginning to realize the full potential of this program and that forfeiture is one of the most promising areas on the entire drug enforcement front. And with estimates of the total drug trafficking business in the United States ranging as high as $100 billion per year or more, the potential for growth in the area of forfeiture is obvious.

SECTION 6077 OF THE ANTI-DRUG ABUSE ACT OF 1988

A major concern which we have in common with state and local law enforcement agencies is the provision in the 1988 drug bill which terminates our ability to share forfeited property with state and local agencies in drug cases if such sharing is in circumvention of state laws governing state forfeitures or controlling the distribution of property forfeited under state law. The effect of this new provision of law would be to create the potential for litigation in a host of state courts whenever we share federally forfeited property with state and local law enforcement agencies.

We are confident that this result was not intended and will be proposing legislation shortly to clarify what we believe was the intent of Congress in enacting this statute. Your attention to this matter will be most appreciated not only by the Department of Justice but by literally thousands of state and local law enforcement agencies who are potential beneficiaries of the equitable sharing program.

OFFICE OF NATIONAL DRUG CONTROL POLICY

We have been working closely with the Director and staff of the Office of National Drug Control Policy. One of the major efforts of that new office to date has been to surface and develop new and innovative ideas and methods of attacking the national drug problem. With respect to the concept of High-Intensity Drug Trafficking areas, we have been consulting with the Office of National Drug Control Policy on this concept and the details of the proposals are still under development. No final decisions have yet been made regarding specific criteria for selection of areas. We are also providing drug program information to the Office of National Drug Control Policy including summaries of state drug strategies, developments in state and local assistance, and updates on Department funded projects of special interest.

The Director of National Drug Control Policy has recently stated his interest in the concept of "boot camps" for youthful drug offenders. We have asked the Bureau of Prisons and Office of Justice Programs to review such "boot camps" that are already in existence and will be providing our findings to the Director. Our preliminary findings are that this concept may have merit and that the programs now in place in New York and Georgia might serve as models for other states. Because of limited federal resources and the few "user" cases processed in the federal system, it appears that the "boot camp" concept should be viewed as a program primarily for state and local governments. Again, let me stress that our views on "boot camps" are preliminary in nature and that our review of this concept is continuing.

COSTS OF DRUG CRIME

Attempting to place a dollar cost on drug crime is a difficult task. I would, however, call the attention of the Committee to two recent studies which attempt to estimate all or parts of the cost of drug crime to the criminal justice system. One study was by the Research Triangle Institute (RTI) under contract to the National Institute of Drug Abuse (NIDA). The RTI study suggested a cost of $4.5 billion in 1984 but was based upon assumptions which may be dated. For example, RTI assumed that 10% of homicides and other violent crime are drug related. I understand that NIDA is sponsoring an update of the RTI study. I would defer to representatives of NIDA for a more detailed analysis of the RTI study.

A second study was commissioned by the U.S. Customs Service to compare the costs of drug interdiction with those of drug investigation. That study, performed by the Wharton Econometrics Forecasting Associates, estimated the cost of federal, state and local drug law enforcement (excluding prosecution, courts and corrections) at $6.2 billion in 1986. There are, however, significant statistical difficulties involved in such macro-economic studies. It is doubtful that anyone can give you definitive figures on the cost of drug crime.

With respect to costs involved in specific cases, these vary widely. One study conducted of the cost of processing New York City robbery cases committed in 1981 found a range of from $851 to $32,627 for the cost of investigating and prosecuting these crimes. Such variations in robbery cases would undoubtedly be found in drug crimes as well. In short, we are aware of no definitive answer to this question.

As for costs of incarcerating drug offenders, the Federal Bureau of Prisons reports direct expenditures per prisoner for Fiscal Year 1988 at an average of $14,521. This average cost encompasses a range of from about $7,000 per year for minimum security camps to well over $20,000 per year for maximum security prisons. The national average for state incarceration is about $16,000 per year but this varies substantially from state to state.

We are unaware of estimates of the cost of incarceration in terms of lost productivity or of average costs of rehabilitative services to inmates. Finally, with respect to recidivism for drug offenders, a recent study by our Bureau of Justice Statistics (BJS) based on a sample of 109,000 prisoners released in 11 states in 1983, found that 50.4 percent of those who were serving time for a drug offense were rearrested for a serious crime within 3 years of release, 35.3 percent were convicted of those crimes, and 30.3 percent were returned to confinement. Of those who had ever been arrested in the past for a drug offense, 68.6 percent were rearrested for some serious crime within 3 years of release from prison. Obviously, this study is not encouraging in terms of our ability to rehabilitate drug offenders. We will be pleased to furnish additional information regarding this BJS study.

CONCLUSION

In sum, Mr. Chairman, the magnitude of the drug problem is immense and its effects are staggering. Moreover, it is a very persistent problem not susceptible of quick or easy resolution. Clearly, law enforcement alone is not going to solve the drug problem. At best, we can try to keep a lid on the problem while drug education and drug treatment programs curb the national appetite for drugs.

The only meaningful drug program is one which seeks to address every aspect of the problem; seeking to reduce foreign and domestic production and processing, striving to interdict drugs before they reach our citizens, attacking the drug trafficking and money laundering syndicates and distribution networks, and enhancing drug abuse education, prevention and treatment. None of these elements can be neglected. The task is to allocate our limited resources appropriately among these different drug supply and demand reduction programs. We look forward to working with the Director of National Drug Control Policy and the Congress in arriving at these difficult allocation decisions.

Thank you.

SUBMISSIONS FOR THE RECORD

City of Alexandria, Virginia

SUBSTANCE ABUSE SERVICES

Department of Mental Health, Mental
Retardation and Substance Abuse
2355A Mill Road
Alexandria, Virginia 22314-4608
(703) 329-2000

JUN 12 REC'D

June 7, 1989

Charles B. Rangel
Congressman
2252 Rayburn House Office Building
Washington, D.C. 20515-3216

Dear Congressman Rangel:

I write at the request of James P. Moran, Jr., Mayor of the City of Alexandria, Virginia. Mayor Moran asked me to respond to several questions during the House Select Congressional Narcotics Abuse and Control Committee hearing last month.

The Committee inquired about the status of Omnibus Drug Act funds for the enforcement, treatment and prevention of substance abuse in our City.

The City receives no Federal funding for its enforcement efforts. The State chose to distribute its Federal funds to continuing programs, of which the City had none. The City's need was, and continues to be, for additional police officers, therefore the City does not generally respond to Federal request for proposals for demonstration law enforcement-related projects.

The City receives Federal block grant funding, from the State, for drug abuse treatment and prevention. In FY 1986 the City requested and received $308,217 for these services; in FY 1987, $246,683 and in FY 1988, $284,638. The City has not applied for Federal treatment and prevention funding through Federal discretionary grants primarily because our need, again, is for expansion of existing services. We are not generally interested in developing demonstration or research projects.

We appreciate this opportunity to provide additional information for the Committee's consideration.

Sincerely,

Christine Yeannakis
Director of Substance Abuse

cc: James P. Moran, Jr., Mayor
Vola Lawson, City Manager

A Program of the Alexandria Community Services Board

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

KATHRYN J. WHITMIRE
MAYOR

July 3, 1989

The Honorable Benjamin A. Gilman
U.S. House of Representatives
2160 Rayburn House Office Building
Washington, D. C. 20515-3222

Dear Congressman Gilman:

During the May 31, 1989 Hearing on the Drug Enforcement Crisis at the Local Level, held by the House of Representatives Select Committee on Narcotics Control, you asked me a specific question about the State of Texas' disbursement of F.Y. 1989 drug enforcement funds which I was unable to answer completely. I would like to provide you with the correct information regarding that funding.

On March 20, 1989, the Bureau of Justice Assistance awarded $6,740,000 to the State of Texas. On April 21, 1989, the Criminal Justice Division of the Governor's Office issued a request for proposals with a June 15, 1989 deadline. The City of Houston did submit a $1.1 million proposal by the deadline. While no firm date has been given by the state for announcement of grant awards, we expect that awards will be made later this summer.

I hope this information is helpful to you.

Sincerely,

Kathryn J Whitmire

Kathryn J. Whitmire

KJW:ng

cc: Congressman Charles B. Rangel

THE UNITED STATES CONFERENCE OF MAYORS
1620 EYE STREET, NORTHWEST
WASHINGTON, D.C. 20006
TELEPHONE (202) 293-7330

President
ARTHUR J. HOLLAND
Mayor of Trenton
Vice President
KATHRYN J. WHITMIRE
Mayor of Houston
Past Presidents
RICHARD L. BERKLEY
Mayor of Kansas City, MO
JOSEPH P. RILEY, JR.
Mayor of Charleston
COLEMAN A. YOUNG
Mayor of Detroit
Trustees
WILLIAM J. ALTHAUS
Mayor of York
MARION S. BARRY, JR.
Mayor of Washington, DC
JUANITA CRABB
Mayor of Binghamton
RAYMOND L. FLYNN
Mayor of Boston
W. WILSON GOODE
Mayor of Philadelphia
WILLIAM H. HUDNUT, III
Mayor of Indianapolis
JOSEPH R. PAOLINO, JR.
Mayor of Providence
JOHN P. ROUSAKIS
Mayor of Savannah
DOUG SUTHERLAND
Mayor of Tacoma
LOUIS J. TULLIO
Mayor of Erie
GEORGE V. VOINOVICH
Mayor of Cleveland
Advisory Board
Chair
ROBERT M. ISAAC
Mayor of Colorado Springs
JERRY ABRAMSON
Mayor of Louisville
RICHARD ARRINGTON
Mayor of Birmingham
JOAN W. BARR
Mayor of Evanston
SIDNEY BARTHELEMY
Mayor of New Orleans
TOM BRADLEY
Mayor of Los Angeles
STEVEN B. CARLSON
Mayor of Jamestown, NY
JANICE R. COGGESHALL
Mayor of Galveston
TERRY GODDARD
Mayor of Phoenix
EDWARD KOCH
Mayor of New York
GEORGE LATIMER
Mayor of Saint Paul
SHEILA LODGE
Mayor of Santa Barbara
THEODORE MANN
Mayor of Newton
SUE MYRICK
Mayor of Charlotte
DONNA OWENS
Mayor of Toledo
JAMES P. PERRON
Mayor of Elkhart
JESSIE M. RATTLEY
Mayor of Newport News
CHARLOTTE M. ROTHSTEIN
Mayor of Oak Park, MI
CHARLES ROYER
Mayor of Seattle
F. JOSEPH SENSENBRENNER, JR.
Mayor of Madison
PETE SFERRAZZA
Mayor of Reno
GREG SPARROW
Mayor of DeKalb
NAO TAKASUGI
Mayor of Oxnard
ANDREW YOUNG
Mayor of Atlanta
Executive Director
J. THOMAS COCHRAN

June 14, 1989

The Honorable Benjamin A. Gilman
U.S. House of Representatives
2160 Rayburn House Office Building
Washington, D.C. 20515-3222

Dear Mr. Gilman:

I appreciated the opportunity to testify before you and other members of the Select Committee on Narcotics Abuse and Control on May 31 about the situation relating to drug abuse and drug trafficking in our cities, our efforts to respond to this situation, and the impact of federal anti-drug assistance on our efforts. You and the other members of the Committee have done an outstanding job of focusing attention in Congress on these issues. The Conference of Mayors is always ready to provide whatever information or assistance you might need.

During the hearing you asked me and the other mayors about the status of our applications for enforcement grants to our state governments, and the speed with which the funds are distributed to local governments. The survey conducted by the Conference of Mayors, which we submitted to the Committee, showed that, unfortunately, the system is not working well:

- Only one-half of the cities have participated in the development of their state's plan for enforcement.

- Forty-six percent of the cities gave their state a poor rating for its administration of the anti-drug enforcement block grant.

- More than two-thirds of the cities do not believe that the state block grants are responsive to their needs.

- More than four out of five called for direct federal funding of cities, or some sort of sub-state funding entitlement.

The questions you asked had to do with the disbursement of the federal funds to the states. The table which you read from showed that a substantial portion of the funds from previous years had not yet been disbursed from the federal Treasury. We know that the funds have not moved as quickly as they should, but we also know that disbursements from the Treasury are not real indicators of the problem because they can trail expenditures considerably. Often local governments must bill their state for reimbursement after they have spent their grant money. In turn, the states bill the federal government, and the disbursement is made. You may wish to ask the Bureau of Justice Assistance to provide you with similar information on contract commitments. That would be a more accurate measure of the speed with which the funds are allocated.

Regardless of the measure used, we know that the anti-drug funds are not being used as quickly as they should be. In my own State of Texas, applications from local agencies for FY89 assistance are not even due until June 15, which is nearly three-fourths of the way through the fiscal year. Direct funding to cities would speed the process considerably, and make it more effective and efficient. The Conference of Mayors stands ready to work with you on legislation to accomplish this.

Sincerely,

Kathryn J. Whitmire

Kathryn J. Whitmire
Mayor of Houston
Vice President

cc. The Honorable Charles Rangel

Superior Court
of the District of Columbia
Washington, D.C. 20001

Fred B. Ugast
Chief Judge

June 20, 1989

The Honorable Charles B. Rangel
Chairman, Select Committee on Narcotics
  Abuse and Control
U.S. House of Representatives
Room H2-234, House Office Building Annex 2
Washington, D.C. 20515-6425

Dear Congressman Rangel:

This is in response to your letter of June 19, 1989 as a follow-up on two questions raised by Representative Scheuer at the hearing on May 31, 1989.

Both questions involve the need for resources and the design of programs that will work. Individual users, who are arrested and are addicted at the time, need both strong motivation by way of short term tough restrictions on their freedom, coupled with appropriate drug treatment, counseling and training. We must address the demand side, as well as the distribution side. Unfortunately, crowded conditions and lack of funds preclude the kind of programs needed in prison.

With respect to alternatives to incarceration for non-violent offenders, the problem is principally the lack of available programs to treat such offenders were they to be diverted from the criminal justice system. No one is quite sure what programs work as they are behavioral-change oriented, and prosecutors are reluctant to divert individuals by dropping a prosecution unless there is a meaningful community based program as an alternative. Diversion programs, if highly structured, represent a meaningful alternative for the first offender drug user.

In short, both suggestions raised by the Congressman deserve serious consideration and funding directed to the design of such programs, both in prison and as alternatives to incarceration.

If I can be of any further assistance, do not hesitate to call.

Sincerely,

Fred B. Ugast

Fred B. Ugast
Chief Judge

OHIO DEPARTMENT OF REHABILITATION AND CORRECTION

1050 Freeway Drive, North, Suite 403
Columbus, Ohio 43229

Richard F. Celeste, GOVERNOR
George W. Wilson, DIRECTOR

July 5, 1989

House Select Committee on Narcotics Abuse and Control

Responses to Followup Questions from Committee
Submitted by
George W. Wilson, Director
Ohio Department of Rehabilitation and Correction

Question from Congressman James Scheuer to panel:

What happens once an offender goes to prison? Do they get treatment, literacy training and skills training so they can get a job when they get out?

Answer:

Inmates who are incarcerated by the Ohio Department of Rehabilitation and Correction may participate in substance abuse prevention and treatment programs, learn how to read through literacy programs, and receive job training which can help them find and maintain jobs once they are released from prison.

All of Ohio's prisons (currently 22) have a Substance Abuse Coordinator on staff and offer structured programs. Six of the 22 DRC institutions have comprehensive, in-house residential programs which last from three to 18 months. During that time inmates participate in diagnoses, individual and group therapy, stress management, substance abuse education, family education, healthy lifestyles and physical and emotional wellness sessions. Once residential treatment ends, inmates may follow-up with periodic aftercare sessions which include Alcohol and Narcotics Anonymous.

A $500,000 federal grant from the Governor's Office of Criminal Justice Services is helping fund the $666,000 "Say No In Time" treatment program. With the help of the grant, several additional substance abuse counselors have been hired. Future plans include developing strong relationships with community programs for inmates about to be released from prison.

Inmates may receive literacy training through OCTA-GONE, a program which trains volunteer inmate tutors to teach other inmates how to read. The three-year-old program at London Correctional Institution has trained more than 475 inmate tutors and has helped more than 1,350 illiterate students through more than 30,000 hours of one-on-one volunteer tutoring. A variety of job skills training experiences, including apprenticeships, also are available to Ohio inmates.

U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

JUN 14 1989

The Honorable Charles B. Rangel
Chairman, Select Committee on Narcotics
Abuse and Control
House of Representatives
Room H2-234, House Office Building Annex 2
Washington, DC 20515

Dear Mr. Chairman:

In response to your request at the May 31, 1989 hearing of the Select Committee on Narcotics Abuse and Control for additional information to be submitted by Charles P. Smith, Director of the Bureau of Justice Assistance (BJA), I am pleased to provide the following:

Attachment 1--provides a summary of information regarding grant award and fund disbursement status;

Attachment 2--list of discretionary and formula grant awards made to the jurisdictions represented by the hearing witnesses;

Attachment 3--agenda from recently conducted regional conferences for state administrative agency representatives, jointly sponsored by BJA and the Departments of Health and Human Services and Education;

Attachment 4--schedules of BJA-sponsored training activities;

Attachment 5--summary list of BJA-sponsored technical assistance programs; and

Attachment 6--overview of BJA's evaluation program.

I hope that this information is useful to you. Please do not hesitate to contact me if I may be of further assistance.

Sincerely,

John P Mackey for
Carol T. Crawford
Assistant Attorney General

Attachments

ATTACHMENT 1 INDEX

BUREAU OF JUSTICE ASSISTANCE
FORMULA AWARD AND DISBURSEMENT INFORMATION

ITEM	NUMBER
BJA Formula Grant Award Information	1-a
Schedule of FY 1989 Formula Awards by State	1-b
Formula Disbursement Report by FY	1-c
FY 1989 Formula Grant Award Milestone Chart	1-d

KEY POINTS:

- The Formula Grant award process has significantly reduced the time required to accomplish formula awards to the states. It took 19.5 months from the beginning of FY 1987 until the last formula award for FY 1987 was completed. This was a result of program start-up and implementation. As the program has matured, this process has been streamlined to the point that from the beginning of FY 1989 to the completion of formula awards by BJA was only 6.5 months.

- Formula Grant disbursement information must be viewed from the perspective that disbursement of funds from the Federal Treasury is not an indicator of the status of state and local subgrant activity. In almost all instances, FY 1987 and FY 1988 funds have either been subgranted or allocations made for subsequent subgrants by the states. Subgrants are functions of continuation status, funding demands and the and the award times of the original FY 1987 subgrants.

- Certain requirements of the Anti-Drug Abuse Act, such as legislative review and State clearinghouse review, necessarily impact the timeframe required for BJA to make formula awards as well as for states to solicit, review and make awards for subgrants. In addition, some states have state statutes that impact on their ability to process subgrant awards.

- If subgrants were allocated directly by the federal government to some witness cities on the basis of criteria such as population or criminal justice expenditures, some may have received less funds (e.g., Philadelphia, New York) and others may have received more (e.g., Houston) in FY 1987 funds than through the state plans.

attachment 1-a

6/5/89

ANTI-DRUG ABUSE ACT OF 1988: FY 1989 BUREAU OF JUSTICE ASSISTANCE (BJA) FORMULA GRANT DISTRIBUTION FACTORS

- **TARGETING OF HIGH NEED AREAS**

  Section 503 (a) (1) (a) of the Anti-Drug Abuse Act of 1988 requires that the state shall prepare a strategy that includes an analysis of the problems in each of the counties with major drug and violent crime problems. In addition, Section 506 (b) (2) of the Act states that funds should be distributed by the state among urban, rural and suburban units of local government by giving "priority to those jurisdictions with the greatest need." In addition, the program guidance (p. 21) suggests the state consider the criteria which the Director of the Office of Drug Control Policy is legislatively directed to consider in determining "high intensity" drug trafficking areas. The program guidance also states (p.20) that the State, at a minimum, should submit a separate analysis for "jurisdictions over 250,000 and border areas."

  The Director of BJA also takes areas of highest need into consideration on award of discretionary grants.

- **DISTRIBUTION TIMING**

  By April 17, 1989, all Fiscal Year 1989 formula grant awards under the Act were signed by the Director of the Bureau of Justice Assistance. This result compares with prior award schedules as follows:

	FY 1987	FY 1988	FY 1989
Elapsed time from Fiscal Year beginning to last award	19.5 mo.	11.5 mo.	6.5 mo.
Elapsed time from Award 1 to Award 56	11.5 mo.	6.5 mo.	1.0 mo.

- **FORMULA GRANT DISBURSEMENT**

  The formula grant process has a number of distinct steps. First the Bureau of Justice Assistance makes formula grant awards to the states. The states then, based on their individual grant award process, make subgrant awards to state and local units of government. The subgrantees then expend funds against their subgrant awards and request, through the state administrative agency, disbursement of funds from the Federal Treasury. Since each fiscal year funds can be expended for up to three years, the disbursements are not made until the actual expenditures have been made.

o **STATE SUBGRANT TIME SCHEDULE**

As required by section Sec. 508 of the Anti-Drug Abuse Act of 1988, states must adhere to specified timeframes in their review and award of subgrants to state and local governments. Sec. 508(a) requires that states must review and approve or disapprove any application made by a unit of local government, or a combination of units of local government, within 45 days of the state's receipt of the application. A state shall not finally disapprove any application submitted to the state without first affording the applicant reasonable notice and opportunity for reconsideration. Sec. 508(b) requires that states must make funds available to any state or local unit of government for any application submitted, approved and awarded by the state within 45 days of the state's receipt and acceptance of its formula grant award. The key criteria in this provision is the state's formal approval of the application.

attachment 1-b

4/17/89 FINAL
(as of)

FY - 1989
DRUG CONTROL & SYSTEM IMPROVEMENT
FORMULA GRANT PROGRAM

$118,800,000
(available)

56 Applications Recd 56 Awards Signd $ 118,800,000 Awarded

$ ------------- Remains

STATE	RECD	AMOUNT	STATUS	SIGNED OFF	$ ADMIN.
Alabama	2/8	2,018,000	AWARDED	3/22/89	201,800
Alaska	2/15	695,000	AWARDED	4/03/89	-0-
Arizona	2/17	1,759,000	AWARDED	3/28/89	175,900
Arknsas	2/17	1,388,000	AWARDED	4/04/89	(4.6%) 64,000
Calfrnia	1/23	10,782,000	AWARDED	3/20/89	1,078,200
Colorado	2/17	1,725,000	AWARDED	4/05/89	172,500
Conn	2/16	1,693,000	AWARDED	4/07/89	169,300
Delawre	2/16	739,000	AWARDED	4/11/89	(4%) 30,000
D. C.	2/17	731,000	AWARDED	4/05/89	73,100
Florida	2/16	4,969,000	AWARDED	4/07/89	(7.8%) 388,087
Georgia	2/21	2,813,000	AWARDED	4/07/89	281,300
Hawaii	2/17	903,000	AWARDED	3/30/89	90,300
Idaho	2/15	871,000	AWARDED	3/28/89	87,100
Illinois	2/7	4,805,000	AWARDED	3/17/89	480,500
Indiana	2/15	2,556,000	AWARDED	4/17/89	255,600
Iowa	2/15	1,553,000	AWARDED	3/30/89	155,300
Kansas	2/15	1,420,000	AWARDED	4/07/89	(8.2%) 116,700
Kentucky	2/13	1,885,000	AWARDED	4/07/89	188,500
Louisiana	2/14	2,158,000	AWARDED	3/20/89	215,800
Maine	2/16	941,000	AWARDED	4/06/89	(7.1%) 66,416
Maryland	2/17	2,186,000	AWARDED	4/14/89	218,600
Maachst	2/16	2,676,000	AWARDED	4/13/89	267,600
Michigan	2/17	3,919,000	AWARDED	3/28/89	(4.8%) 160,000
Minnsota	2/17	2,078,000	AWARDED	4/06/89	207,800
Mississip	2/17	1,476,000	AWARDED	4/04/89	147,600
Missouri	2/8	2,397,000	AWARDED	4/07/89	239,700
Montana	2/17	801,000	AWARDED	3/20/89	(7.5%) 60,000
Nebrska	2/9	1,092,000	AWARDED	3/20/89	109,200
Nevada	2/21	874,000	AWARDED	4/06/89	87,400
N. Hamp	2/15	893,000	AWARDED	3/29/89	89,300
N. Jersey	2/16	3,352,000	AWARDED	4/17/89	335,200
N. Mexico	2/17	1,058,000	AWARDED	3/28/89	105,800
N. York	2/17	7,125,000	AWARDED	3/23/89	(0.9%) 67,200

STATE	RECD	AMOUNT	STATUS	SIGNED OFF	$ ADMIN
N. C.	2/16	2,884,000	AWARDED	4/07/89	288,400
N.Dakota	2/23	750,000	AWARDED	4/07/89	75,000
Ohio	2/17	4,508,000	AWARDED	3/29/89	450,800
Oklahoma	2/14	1,716,000	AWARDED	3/28/89	171,600
Oregon	2/23	-1,512,000	AWARDED	4/11/89	151,200
Penn.	2/15	4,936,000	AWARDED	3/29/89	493,600
Purto Rico	2/17	1,724,000	AWARDED	4/07/89	(8.12%) 140,000
R. I.	2/21	866,000	AWARDED	4/05/89	86,600
S. C.	2/16	1,773,000	AWARDED	4/07/89	177,300
S. D.	2/17	764,000	AWARDED	4/06/89	76,400
Tenn.	2/17	2,304,000	AWARDED	4/04/89	230,400
Texas	2/17	6,740,000	AWARDED	3/20/89	674,000
Utah	2/17	1,124,000	AWARDED	4/05/89	(3.3%) 35,700
Vermont	2/16	704,000	AWARDED	4/06/89	(6.4%) 45,000
Virgn Ile	2/23	539,000	AWARDED	4/13/89	53,900
Virgnia	2/16	2,694,000	AWARDED	4/06/89	269,400
Washngtn	2/21	2,187,000	AWARDED	4/07/89	218,700
W. V.	2/15	1,205,000	AWARDED	4/10/89	120,500
Wiscnsn	2/13	2,287,000	AWARDED	3/20/89	228,700
Wyomng	2/13	682,000	AWARDED	3/17/89	-0-
Am Samoa	2/21	188,100	AWARDED	3/30/89	18,810
Guam	2/21	285,000	AWARDED	4/06/89	28,500
NMarians	2/17	96,900	AWARDED	4/07/89	9,690

89/05/25

PAGE 1
attachment 1-c
JUN 5 1990

DRUG AWARDS AND DISBURSEMENTS FOR 10-01-86 TO 05-15-89

STATE	FY	AWARDS MADE	DISBURSEMENTS
ALABAMA	87	$2,996,000.00	$1,592,746.00
ALABAMA	88	$957,000.00	$1,565.92
ALABAMA	89	$2,018,000.00	$0.00
ALABAMA		$5,971,000.00	$1,594,311.92
ALASKA	87	$823,000.00	$823,000.00
ALASKA	88	$560,000.00	$216,361.73
ALASKA	89	$695,000.00	$0.00
ALASKA		$2,078,000.00	$1,039,361.73
AMERICAN SAMOA	87	$522,000.00	$490,260.67
AMERICAN SAMOA	88	$564,000.00	$331,607.82
AMERICAN SAMOA	89	$128,100.00	$0.00
AMERICAN SAMOA		$1,214,100.00	$821,868.49
ARIZONA	87	$2,478,000.00	$2,478,000.00
ARIZONA	88	$874,000.00	$197,350.00
ARIZONA	89	$1,759,000.00	$0.00
ARIZONA		$5,111,000.00	$2,675,350.00
ARKANSAS	87	$1,964,000.00	$809,344.04
ARKANSAS	88	$768,000.00	$444,031.42
ARKANSAS	89	$1,388,000.00	$0.00
ARKANSAS		$4,120,000.00	$1,253,375.46
CALIFORNIA	87	$16,866,000.00	$15,436,003.00
CALIFORNIA	88	$3,544,000.00	$2,360,000.00
CALIFORNIA	89	$10,782,000.00	$0.00
CALIFORNIA		$31,192,000.00	$17,796,003.00
COLORADO	87	$2,506,000.00	$1,641,875.75
COLORADO	88	$869,000.00	$44,068.43
COLORADO	89	$1,725,000.00	$0.00
COLORADO		$5,100,000.00	$1,685,944.18
CONNECTICUT	87	$2,470,000.00	$2,441,685.26
CONNECTICUT	88	$2,553,000.00	$145,990.53
CONNECTICUT		$5,023,000.00	$2,587,675.79
DELAWARE	87	$886,000.00	$810,000.00
DELAWARE	88	$571,000.00	$371,000.00
DELAWARE	89	$739,000.00	$0.00
DELAWARE		$2,196,000.00	$1,181,000.00
DISTRICT OF COLUMBIA	87	$889,000.00	$322,794.30
DISTRICT OF COLUMBIA	88	$571,000.00	$0.00
DISTRICT OF COLUMBIA	89	$731,000.00	$0.00
DISTRICT OF COLUMBIA		$2,191,000.00	$322,794.30
FLORIDA	87	$7,555,000.00	$3,592,433.30
FLORIDA	88	$1,817,000.00	$224,000.00

STATE	FY	AWARDS MADE	DISBURSEMENTS
FLORIDA	89	$4,969,000.00	$0.00
FLORIDA		$14,341,000.00	$3,816,433.30
GEORGIA	87	$4,210,000.00	$2,956,940.94
GEORGIA	88	$1,189,000.00	$88,000.00
GEORGIA	89	$2,813,000.00	$0.00
GEORGIA		$8,212,000.00	$3,044,940.94
GUAM	87	$574,000.00	$254,108.69
GUAM	88	$514,000.00	$2,244.39
GUAM	89	$285,000.00	$0.00
GUAM		$1,373,000.00	$256,353.08
HAWAII	87	$1,154,000.00	$102,971.22
HAWAII	88	$620,000.00	$0.00
HAWAII	89	$903,000.00	$0.00
HAWAII		$2,677,000.00	$102,971.22
IDAHO	87	$1,124,000.00	$1,074,000.00
IDAHO	88	$613,000.00	$234,000.00
IDAHO	89	$871,000.00	$0.00
IDAHO		$2,608,000.00	$1,308,000.00
ILLINOIS	87	$7,600,000.00	$5,070,482.00
ILLINOIS	88	$1,803,000.00	$205,100.00
ILLINOIS	89	$4,865,000.00	$0.00
ILLINOIS		$14,268,000.00	$5,275,582.00
INDIANA	87	$3,913,000.00	$3,359,940.92
INDIANA	88	$1,121,000.00	$101,849.21
INDIANA	89	$2,556,000.00	$0.00
INDIANA		$7,590,000.00	$3,461,790.13
IOWA	87	$2,290,000.00	$1,946,346.45
IOWA	88	$822,000.00	$104,000.00
IOWA	89	$1,553,000.00	$0.00
IOWA		$4,665,000.00	$2,050,346.45
KANSAS	87	$2,021,000.00	$1,352,186.00
KANSAS	88	$778,000.00	$0.00
KANSAS	89	$1,420,000.00	$0.00
KANSAS		$4,219,000.00	$1,352,186.00
KENTUCKY	87	$2,813,000.00	$1,872,107.83
KENTUCKY	88	$921,000.00	$28,000.00
KENTUCKY	89	$1,885,000.00	$0.00
KENTUCKY		$5,619,000.00	$1,900,107.83
LOUISIANA	87	$3,282,000.00	$1,909,049.78
LOUISIANA	88	$1,008,000.00	$169,349.05
LOUISIANA	89	$2,158,000.00	$0.00

DRUG AWARDS AND DISBURSEMENTS FOR 10-01-86 TO 05-15-89

STATE	FY	AWARDS MADE	DISBURSEMENTS
LOUISIANA		$6,448,000.00	$2,078,398.83
MAINE	87	$1,222,000.00	$1,115,575.00
MAINE	88	$632,000.00	$310,000.00
MAINE	89	$941,000.00	$0.00
MAINE		$2,795,000.00	$1,425,575.00
MARYLAND	87	$3,226,000.00	$2,179,342.13
MARYLAND	88	$1,004,000.00	$0.00
MARYLAND	89	$2,186,000.00	$0.00
MARYLAND		$6,416,000.00	$2,179,342.13
MASSACHUSETTS	87	$4,114,000.00	$2,809,830.00
MASSACHUSETTS	88	$1,158,000.00	$97,732.00
MASSACHUSETTS	89	$2,676,000.00	$0.00
MASSACHUSETTS		$7,948,000.00	$2,907,562.00
MICHIGAN	87	$6,141,000.00	$4,082,830.00
MICHIGAN	88	$1,532,000.00	$228,716.83
MICHIGAN	89	$3,919,000.00	$0.00
MICHIGAN		$11,592,000.00	$4,311,546.83
MINNESOTA	87	$3,103,000.00	$2,955,000.00
MINNESOTA	88	$975,000.00	$135,600.00
MINNESOTA	89	$2,078,000.00	$0.00
MINNESOTA		$6,156,000.00	$3,090,600.00
MISSISSIPPI	87	$2,122,000.00	$1,497,416.10
MISSISSIPPI	88	$796,000.00	$119,909.12
MISSISSIPPI	89	$1,476,000.00	$0.00
MISSISSIPPI		$4,394,000.00	$1,617,325.22
MISSOURI	87	$3,622,000.00	$3,025,992.40
MISSOURI	88	$1,072,000.00	$394,273.66
MISSOURI	89	$2,357,000.00	$0.00
MISSOURI		$7,051,000.00	$3,420,266.06
MONTANA	87	$1,013,000.00	$576,746.02
MONTANA	88	$592,000.00	$512,465.00
MONTANA	89	$801,000.00	$0.00
MONTANA		$2,406,000.00	$1,089,211.02
MP	87	$512,000.00	$224,571.00
MP	88	$502,000.00	$68,372.00
MP	89	$96,900.00	$0.00
MP		$1,110,900.00	$292,943.00
NEBRASKA	87	$1,497,000.00	$1,282,000.00
NEBRASKA	88	$680,000.00	$0.00
NEBRASKA	89	$1,092,000.00	$0.00
NEBRASKA		$3,269,000.00	$1,282,000.00

STATE	FY	AWARDS MADE	DISBURSEMENTS
NEVADA	87	$1,081,000.00	$1,017,661.63
NEVADA	88	$609,000.00	$107,703.22
NEVADA	89	$874,000.00	$5,276.00
NEVADA		$2,564,000.00	$1,130,640.85
NEW HAMPSHIRE	87	$1,119,000.00	$1,028,728.14
NEW HAMPSHIRE	88	$616,000.00	$482,710.00
NEW HAMPSHIRE	89	$893,000.00	$0.00
NEW HAMPSHIRE		$2,628,000.00	$1,511,438.14
NEW JERSEY	87	$5,194,000.00	$3,581,672.81
NEW JERSEY	88	$1,360,000.00	$0.00
NEW JERSEY	89	$3,352,000.00	$0.00
NEW JERSEY		$9,906,000.00	$3,581,672.81
NEW MEXICO	87	$1,400,000.00	$438,837.50
NEW MEXICO	88	$667,000.00	$66,013.50
NEW MEXICO	89	$1,058,000.00	$0.00
NEW MEXICO		$3,125,000.00	$504,851.00
NEW YORK	87	$11,539,000.00	$5,535,000.00
NEW YORK	88	$2,505,000.00	$1,069,644.00
NEW YORK	89	$7,125,000.00	$0.00
NEW YORK		$21,169,000.00	$7,004,644.00
NORTH CAROLINA	87	$4,383,000.00	$3,055,000.00
NORTH CAROLINA	88	$1,214,000.00	$349,000.00
NORTH CAROLINA	89	$2,884,000.00	$0.00
NORTH CAROLINA		$8,481,000.00	$3,404,000.00
NORTH DAKOTA	87	$925,000.00	$620,617.45
NORTH DAKOTA	88	$577,000.00	$15,011.93
NORTH DAKOTA	89	$750,000.00	$0.00
NORTH DAKOTA		$2,252,000.00	$635,629.38
OHIO	87	$7,169,000.00	$5,873,100.00
OHIO	88	$1,713,000.00	$564,105.00
OHIO	89	$4,508,000.00	$0.00
OHIO		$13,390,000.00	$6,437,205.00
OKLAHOMA	87	$2,549,000.00	$1,776,226.62
OKLAHOMA	88	$873,000.00	$105,116.70
OKLAHOMA	89	$1,716,000.00	$0.00
OKLAHOMA		$5,138,000.00	$1,881,343.32
OREGON	86	$0.00	$0.00
OREGON	87	$2,168,000.00	$1,379,681.29
OREGON	88	$804,000.00	$8,578.83
OREGON	89	$1,512,000.00	$0.00
OREGON		$4,484,000.00	$1,388,260.12

DRUG AWARDS AND DISBURSEMENTS FOR 10-01-86 TO 05-15-89

STATE	FY	AWARDS MADE	DISBURSEMENTS
PENNSYLVANIA	87	$7,858,000.00	$5,702,885.92
PENNSYLVANIA	88	$1,841,000.00	$198,243.00
PENNSYLVANIA	89	$4,936,000.00	$0.00
PENNSYLVANIA		$14,625,000.00	$5,901,128.92
PUERTO RICO	87	$2,530,000.00	$1,269,165.00
PUERTO RICO	88	$869,000.00	$0.00
PUERTO RICO	89	$1,724,000.00	$0.00
PUERTO RICO		$5,123,000.00	$1,269,165.00
RHODE ISLAND	87	$1,101,000.00	$775,000.00
RHODE ISLAND	88	$610,000.00	$170,000.00
RHODE ISLAND	89	$866,000.00	$0.00
RHODE ISLAND		$2,577,000.00	$945,000.00
SOUTH CAROLINA	87	$2,578,000.00	$2,017,070.81
SOUTH CAROLINA	88	$881,000.00	$2,613.54
SOUTH CAROLINA	89	$1,773,000.00	$0.00
SOUTH CAROLINA		$5,232,000.00	$2,019,684.35
SOUTH DAKOTA	87	$939,000.00	$223,150.00
SOUTH DAKOTA	88	$580,000.00	$29,355.00
SOUTH DAKOTA	89	$764,000.00	$0.00
SOUTH DAKOTA		$2,283,000.00	$252,505.00
TENNESSEE	87	$3,456,000.00	$3,456,000.00
TENNESSEE	88	$1,042,000.00	$156,016.59
TENNESSEE	89	$2,304,000.00	$0.00
TENNESSEE		$6,802,000.00	$3,612,016.59
TEXAS	87	$10,662,000.00	$9,184,233.61
TEXAS	88	$2,382,000.00	$500,000.00
TEXAS	89	$6,740,000.00	$0.00
TEXAS		$19,784,000.00	$9,684,233.61
UTAH	87	$1,521,000.00	$1,083,359.64
UTAH	88	$688,000.00	$37,778.08
UTAH	89	$1,124,000.00	$0.00
UTAH		$3,333,000.00	$1,121,137.72
VERMONT	87	$832,000.00	$550,753.59
VERMONT	88	$561,000.00	$0.00
VERMONT	89	$704,000.00	$0.00
VERMONT		$2,097,000.00	$550,753.59
VIRGIN ISLANDS	87	$567,000.00	$248,403.00
VIRGIN ISLANDS	88	$512,000.00	$0.00
VIRGIN ISLANDS	89	$539,000.00	$0.00
VIRGIN ISLANDS		$1,618,000.00	$248,403.00
VIRGINIA	87	$4,042,000.00	$3,267,708.41

STATE	FY	AWARDS MADE	DISBURSEMENTS
VIRGINIA	88	$1,153,000.00	$0.00
VIRGINIA	89	$2,694,000.00	$0.00
VIRGINIA		$7,989,000.00	$3,247,708.41
WASHINGTON	87	$3,237,000.00	$3,088,806.00
WASHINGTON	88	$1,003,000.00	$78,816.00
WASHINGTON	89	$2,187,000.00	$0.00
WASHINGTON		$6,427,000.00	$3,167,622.00
WEST VIRGINIA	87	$1,702,000.00	$751,004.28
WEST VIRGINIA	88	$716,000.00	$0.00
WEST VIRGINIA	89	$1,205,000.00	$0.00
WEST VIRGINIA		$3,623,000.00	$751,004.28
WISCONSIN	87	$3,464,000.00	$2,641,143.83
WISCONSIN	88	$1,040,000.00	$128,600.90
WISCONSIN	89	$2,287,000.00	$0.00
WISCONSIN		$6,791,000.00	$2,769,744.73
WYOMING	87	$816,000.00	$310,319.17
WYOMING	88	$557,000.00	$287,356.37
WYOMING	89	$682,000.00	$0.00
WYOMING		$2,055,000.00	$1,097,675.54
		$352,800,000.00	$143,258,713.67

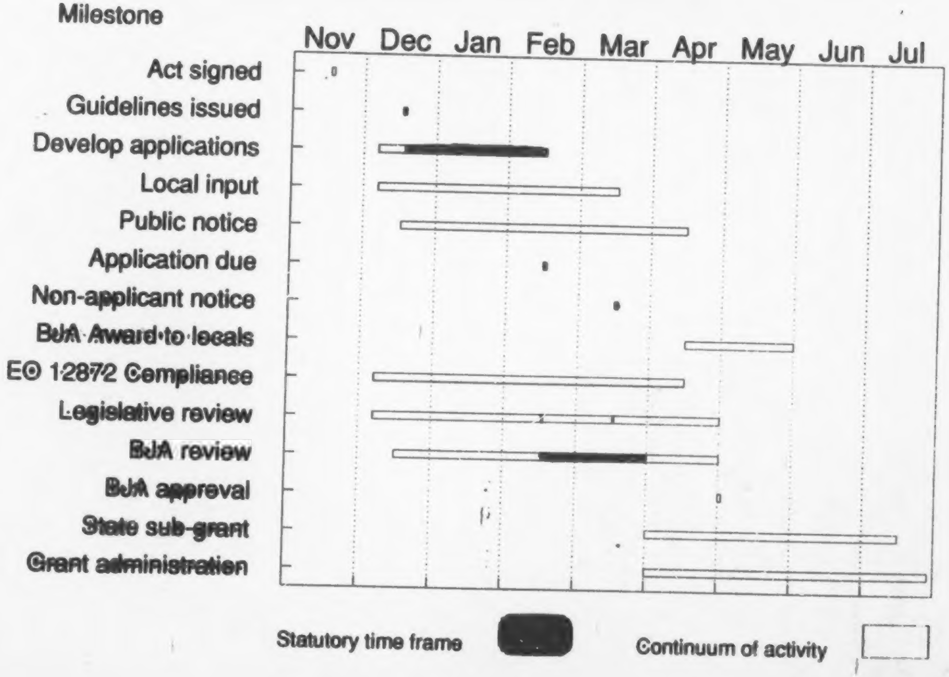
TOTALS BY FY	87	$178.4 million	$131.6 million
	88	55.6 million	11.8 million
	89	118.8 million	—

NOTE: For this report, awards reflect the formula grant awards made to the states by the Bureau of Justice Assistance. The states then, based on their individual grant award process, make subgrant awards to state and local units of government. The subgrantees then expend funds against their subgrant awards and request, through the state administrative agency, disbursement of funds from the Federal Treasury. Since each fiscal year funds can be expended for up to three fiscal years, the disbursements are not made until the actual expenditures have been made.

attachment 1-d

JUN 5 1989

FY89 Formula Grant Timetable
Bureau of Justice Assistance (BJA)



ATTACHMENT 2 INDEX

BUREAU OF JUSTICE ASSISTANCE
FUNDING OVERVIEW BY JURISDICTION OF HEARING WITNESSES

Item	Number
BJA Discretionary Awards Jurisdictions Represented by Hearing Witnesses	2-a
Formula Awards to Jurisdictions Represented by Hearing Witnesses (including Metro areas)	2-b

KEY POINTS:

- o BJA has allocated significant discretionary grant funding to programs serving urban drug problems.
- o Significant formula grant funds have been provided to many of the jurisdictions represented. In some instances, state priorities may or may not conform to the identified local priorities. However, these issues are best addressed at the state and local levels.

Attachment 2-a
6/8/89

BJA DISCRETIONARY GRANT AWARDS TO JURISDICTIONS OF WITNESSES APPEARING BEFORE THE HOUSE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

Katheryn J. Whitmire, Mayor of Houston, Texas

- $300,000 in FY 1987 and $200,000 in FY 1989 Drug Program funds to support a Crack Task Force Project.
- $58,531 in FY 1987 and $79,379 in FY 1988 Drug Program funds to support a Drug Use Forecasting (DUF) Project.
- To be a demonstration site in FY 1989 under a $400,000 National Crime Prevention Council Community Drug Prevention Program.

W. Wilson Goode, Mayor of Philadelphia, Pennsylvania

- Discussions proceeding on $200,000 in FY 1989 Drug Program funds to support a targeted Drug Task Force Project.
- $59,005 in Fy 1988 Drug Program funds to support a Drug Use Forecasting (DUF) Project.

James P. Moran, Mayor of Alexandria, Virginia

- Participates as a member of a $250,000 Northern Virginia Crack Task Force Project and will also participate in the $2.1 million DC Metro Task Force.

Sue Myrick, Mayor of Charlotte, North Carolina

- No Drug Program discretionary grants to date.

Robert Morgenthau, District Attorney, New York County

- $600,000 from FY 1987 Drug Program for an Organized Crime/Narcotics Trafficking Task Force Project.
- $94,054 from FY 1987 and $76,560 from FY 1988 Drug Program funds to New York City to support a Drug Use Forecasting (DUF) project.
- $225,000 from FY 1989 Drug Program for a Financial Investigation Task Force Project (application in final stages of review, award to be made soon).

Fred B. Ugast, Chief Judge, Superior Court of the District of Columbia

- $2.1 million for DC Metro Drug Task Force
- Demonstration site under a $150,000 Congress of National Black Churches Community Drug Prevention Program.
- $37,740 in FY 1987 and $31,240 in Fy 1988 Drug Program funds to support a Drug Use Forecasting (DUF) Project.

George W. Wilson, Director, Ohio Department of Rehabilitation and Corrections

- $80,000 from FY 1987 Drug Program funds to support a Prison Capacity Project to include county and municipal jails.
- $150,000 in FY 1987 Drug Program funds to the State of Ohio for a Drug Treatment for State Correctional Institutions Project.

Warren B. Woodfork, Superintendent, New Orleans, Louisiana Police Department

- $395,000 from FY 1987 and $150,000 from FY 1989 Drug Program for a Drug Street Sales Enforcement Project.
- $690,000 from FY 1987 Drug Program program to support a Pretrial Drug Testing Demonstration Project.
- $36,980 in Fy 1987 and $32,480 in FY 1988 Drug Program funds to support a Drug Use Forecasting (DUF) Project.

attachment 2-b

DRAFT
JUN 12 1989

FORMULA SUBGRANTS AS REPORTED TO BJA BY THE STATES

BJA programs in the **Philadelphia** metro area.

TITLE	SUBGRANTEE	CITY	FY 87 $$$	FY 88 $$$	FY 89 $$$
Narcotics Control Program, Juvenile & Organized Crime	Philadelphia Police Dept.	Philadelphia	$1,172,750		
Narcotics Control Program, Juvenile & Organized Crime	Philadelphia Police Dept.	Philadelphia	$373,364	$608,345	
Dangerous Drug Offender Unit	Philadelphia D.A.'s Office	Philadelphia	$530,300		
Dangerous Drug Offender Unit	Philadelphia D.A.'s Office	Philadelphia	$190,144		
Accelerated Pre-Sentence Investigation Drug Program	Philadelphia Adult Probation & Parole Dept.	Philadelphia	$144,652		
Accelerated Bench Warrant Service on Drug Defendants	Philadelphia Pretrial Dept.	Philadelphia	$110,605	$110,605	
Drug Offender Profile Unit	Philadelphia D.A.'s Office	Philadelphia	$38,380	$38,830	
Accelerated Pre-Sentence Investigation Drug Program	Philadelphia Adult Probation & Parole Dept.	Philadelphia	$82,842		
Facility Expansion & Security Improvement Program	Philadelphia Prisons	Philadelphia	$253,312		
Intense Approach - Intervention & Treatment of Drug Offenders	Berks County	Reading	$122,207	$87,247	
Intensified Approach to Intervention and Treatment of Drug Offenders	Berks County	Reading	$209,804		
Delaware Co. Unified Drug Enforcement, Apprehension and Incarceration Program	Delaware County	Media	$85,200	$60,330	
Narcotics Control and System Improvement Program	City of Philadelphia	Philadelphia			$454,646 (Budgeted)

Statewide Pennsylvania Subgrants

Intensive Supervision Drug Project	PA Board of Probation And Parole	Harrisburg		$148,121
Drug Law Enforcement Training	PA Commission on Crime/Delinquency	Harrisburg	$250,000	
Surveillance Vans	PA State Police	Harrisburg	$160,000	
Narcotic Detector Dog Program	PA State Police	Harrisburg	$98,962	
Mobile Cooperative Task Force	PA Atty. General	Harrisburg	$450,000	
Electronic Surveillance & Wiretap Equipment	Chester County	West Chester	$500,000	
Lab Drug Identification Service Upgrade	PA State Police	Harrisburg	$657,996	
Statewide Financial Asset Invest. Unit	PA Atty. General	Harrisburg	$425,000	
Tech. Assistance to Local Prosecutors	PA Atty. General	Harrisburg	$50,000	
Dept. of Corrections Therapeutic Community	PA Dept. of Corrections	Camp Hill	$180,000	$125,250
TASC/SCI Pre-Post Release Project	PA Dept. of Health	Harrisburg	$53,000	

DRAF

TITLE	SUBGRANTEE	CITY	FY 87 $$$	FY 88 $$$	FY 89 $$$
BJA programs in the New Orleans metro area.					
Anti-Drug Abuse Block Training	New Orleans Office of Coordination	New Orleans	$12,724		
NOPD Crime Lab Drug Analysis Enhancement	New Orleans Police Dept.	New Orleans	$37,500		
Prosecutor's Anti-Drug Abuse Block Training	City of New Orleans	New Orleans	$15,750		
NOPD Crime Lab Computerization	New Orleans Police Dept.	New Orleans	$37,500		
Drug Defense Unit	Orleans Parish	New Orleans	$65,000		
Narcotics Investigation & Identification Training	Jefferson Parish	Gretna	$8,000		
Additional Crime Lab Equipment	Jefferson Parish	Metarie	$37,500		
Statewide Louisiana Subgrants					
Criminal Patrols Narcotics Training Enhancement	LA Dept. of Public Safety	Baton Rouge	$28,433		
Criminal Patrols Narcotics Training	Confidential	Baton Rouge	$109,054		
Multi-Jurisdictional Task Force	Confidential	Baton Rouge	$19,730		
Crime Lab Processing Upgrade	LA State Police	Baton Rouge	$200,000		

DRAFT

TITLE	SUBGRANTEE	CITY	FY 87 $$$	FY 88 $$$	FY 89 $$$
BJA programs in the **Houston** metro area.					
Hobby Airport Narcotics Enforcement Program	City of Houston	Houston	$150,000		
Prosecution of Drug Offenders	Harris County	Houston	$132,779		
Two County Narcotics Task Force	Matagorda County	Bay City	$100,486		
Narcotics Trafficking Task Force Program	Brazoria County	Angleton	$40,711		
Narcotics Trafficking Task Force	Chambers County	Anahuac	$175,991		
Special Drug Enforcement Unit	City of Orange	Orange	$103,417		
Apprehension and Prosecution of Drug Offenders	Austin County	Bellville	$149,887		
		Statewide Texas subgrants			
Drug Abuse Data Collection & Analysis	Criminal Justice Policy Council	Austin	$34,381		
Expanded Crime Lab Services	TX Dept. of Public Safety	Austin	$749,796		
Enhancement of Prosecution, Apprehension & Adjudication	TX Adult Probation Commission	Austin	$48,664		

TITLE	SUBGRANTEE	CITY	FY 87 $$$	FY 88 $$$	FY 89 $$$

BJA programs in the **Alexandria** metro area.

Enhance Drug Enforcement	Town of Vienna	Vienna	$39,650		

Statewide Virginia subgrants

Narcotics Canine Training	VA State Police	Richmond	$129,442		
Multi-Jurisdictional Task Force	VA State Police	Richmond	$1,823,429		
Narcotics Training	Univ. of Virginia State Police	Charlottesville	$19,742		
Enhancing Drug Enforcement	Bureau of Forensic Sciences	Richmond	$30,000		
Enhancing Drug Enforcement	Bureau of Forensic Sciences	Richmond	$4,714		
Multi-Jurisdictional Task Force	Commonwealth's Atty.	Williamsburg	$267,608		
Intensive Probation/Parole	VA Dept. of Corrections	Richmond	$52,447		
Coordination of Drug Abuse Services for Delinquent Youth	VA Dept. of Corrections	Richmond	$16,519		
Drug Abuse Treatment for Drug Dependent Offenders	VA Dept. of Corrections	Richmond	$321,779		

BJA programs in the **New York** metro area.

TITLE	SUBGRANTEE	CITY	FY 87 $$$	FY 88 $$$	FY 89 $$$
Narcotics Diversion Expansion	New York City Police Dept.	New York	$1,426,856		
Drug Prosecution Information Management Project	Office of Special Prosecution	New York	$101,444		
Career Criminal Prosecution	Special Narcotics Prosecution	New York	$700,000		
Narcotics Training and Resource Project	Appellate Division 1st Dept.	New York	$426,800		
Adjudication	Legal Aid Society	New York	$350,000		
Narcotics Enforcement	Town of Southhampton	Riverhead	$18,750		
Narcotics Enforcement	Nassau County D.A.	Mineola	$61,814		
Narcotics Enforcement	Nassau County D.A.	Mineola	$55,265		
Fast Track Prosecution	Nassau County D.A.	Mineola	$37,500		
Multi-Jurisdictional Task Force	Suffolk County D.A.	Central Islip	$195,502		
Fast Track Prosecution	Suffolk County D.A.	Riverhead	$37,500		
Narcotics Major Violator Investigation	Kings County D.A.	Brooklyn	$291,559		
Narcotics Control Assistance Program	Queens County D.A.	Kew Gardens	$202,125		
Narcotics Control Assistance Program	Bronx D.A.	Bronx	$225,006		
Special Narcotics Program	Richmond County D.A.	Staten Island	$48,960		
Fast Track Defense	Suffolk Legal Aid	Bayshore	$25,000		
Program to Enhance Atty. Services	2nd & 11th Judicial Districts	Brooklyn	$185,236		
Intensive Supervision Program	Nassau County Probation Dept.	Mineola	$40,000		
TASC	Nassau County Dept. of Drug & Alcohol	Hempstead	$30,000		
Fast Track Defense	Legal Aid Society of Suffolk County	Bayshore	$25,000		

Statewide New York Subgrants

Drug Forfeiture Unit	New York Division of C.J. Services	Albany	$75,000
Regional Drug Enforcement Task Force	New York Division of C.J. Services	Albany	$1,925,000
Narcotics Enforcement	New York State Police	Albany	$2,325,000
Comprehensive Drug Training Conference	New York Division of C.J. Services	Albany	$15,210
Crime Lab Advisory Committee	New York Division of C.J. Services	Albany	$30,000
Probationer Drug Testing	New York Division of Probation & Correctional Alternatives	Albany	$100,000
Substance Abuse Treatment Program	Dept. of Correctional Services	Albany	$225,000
Treatment and Testing	New York Division of Probation & Correctional Alternatives	Albany	$200,000
Treatment/Testing Diversion	New York Division of Parole	Albany	$787,500
Substance Abuse Counseling	New York Dept. of Correctional Services	Albany	$225,000
Parolee Drug Treatment Program	New York Division of Parole	Albany	$187,500
Parole Drug Offenders Diversion Program	New York Division of Parole	Albany	$412,500

TITLE	SUBGRANTEE	CITY	FY 87 $$$	FY 88 $$$	FY 89 $$$
BJA programs in the **Baltimore** metro area.					
Profile Interdiction Squad	City of Baltimore	Baltimore	$105,000	$62,250	
Specialized Major Investigation Team	City of Baltimore	Baltimore	$125,079	$61,875	
Statewide Maryland subgrants					
Diversion Control Program	Dept. of Health	Baltimore	$4,500		
Comprehensive Narcotics Enforcement Effort	Dept. of Public Safety & Correctional Services	Baltimore	$904,430	$308,250	
Narcotics Liaison Office	The University of Maryland	College Park	$65,299		
Crime Lab Enhancement	Dept. of Public Safety & Correctional Services	Baltimore	$65,766		
Close Supervision of High-Risk Drug Offenders	Dept. of Public Safety & Correctional Services	Baltimore	$111,511		

BJA programs in the **Washington, D.C.** metro area.

TITLE	SUBGRANTEE	CITY	FY 87 $$$	FY 88 $$$	FY 89 $$$
Criminal Justice Law Enfor. - Prevention Clearinghouse	D.C. Office of Criminal Justice	Washington, D.C.	$50,000		
Computer Assisted Resource Management	Metropolitan Police	Washington, D.C.	$105,990	$65,000	
Financial Investigative Grant Program	Metropolitan Police	Washington, D.C.	$94,010	$25,000	
D.C. Parolees Against Drugs	D.C. Board of Parole	Washington, D.C.	$250,000		
Drug Treatment Program Pilot Project	D.C. Dept. of Corrections	Washington, D.C.	$300,000	$50,000	
Project Personnel Promise	D.C. Board of Parole	Washington, D.C.		$90,000	
Project Safety Net	D.C. Superior Court	Washington, D.C.		$100,000	
Substance Abuse Training and Education Project	D.C. Dept. of Human Services	Washington, D.C.		$184,000	

TITLE	SUBGRANTEE	CITY	FY 87 $$$	FY 88 $$$	FY 89 $$$
BJA programs in the **Charlotte** metro area.					
Comprehensive Drug Enforcement	Charlotte Police Dept.	Charlotte	$117,117		
Cleveland County Local Assistance - Narcotics Control	Cleveland County	Shelby	$104,430		
Union/Anson County Interagency Task Force	Union County Sheriff's Office	Monroe	$150,000		
Statewide North Carolina subgrants					
NCSHP Pipeline Operation	NC Highway Patrol	Raleigh	$245,582	$245,582	
Drug Intelligence Network	NC Bureau of Investigation	Raleigh	$248,554	$177,812	
Drug Identification Training	NC Justice Academy	Salemburg	$64,584		
Narcotics Prosecution	Admin. Office of the Courts	Raleigh	$182,982		
Comprehensive Substance	Dept. of Corrections	Raleigh	$624,958	$700,012	
Major Drug Offenders Abuse	NC Bureau of Investigation	Raleigh	$472,198		
Forensic Drug Chemistry Analysis	NC Dept. of Justice	Raleigh		$93,750	
Forensic Drug Chemistry	NC Dept. of Justice	Raleigh		$200,596	
Outpatient Drug Treatment Program	Dept. of Corrections	Raleigh		$132,288	

ATTACHMENT 3 INDEX

BUREAU OF JUSTICE ASSISTANCE
JOINT FEDERAL CONFERENCES FOR STATE AGENCIES

Item	Number
Conference Agenda for State Anti-Drug Abuse Act Program Agencies	3-a

KEY POINTS:

- o The regional conferences provided state agencies responsible for administering the enforcement, treatment and eduction elements of the Anti-Drug Abuse Act of 1988 the opportunity to meet and discuss initiatives and opportunities for improving the coordination of program activities.
- o BJA is considering a series of similar conferences for local governments to assist in improving their drug control activities in the supply and demand areas. These conferences would also serve to encourage improved state and local cooperation in the development of statewide strategies.

attachment 3-a

Comprehensive Drug Prevention, Education, Treatment and Enforcement Strategy and Program Development Seminar

Co-sponsored by

U.S. Department of Education
U.S. Department of Health and Human Services
U.S. Department of Justice

in Cooperation with

National Governor's Association
National Association of State Alcohol and Drug Abuse Directors
National Criminal Justice Association

San Antonio, Texas
February 14 - 17, 1989

PURPOSE OF THE SEMINAR

The seminar will serve as a forum for state-level policy makers in the drug prevention, education, treatment and enforcement fields to explore interdisciplinary issues, programs and strategies. You will learn about research and effective programs which have been implemented at the Federal, state and local levels to reduce the demand for and supply of illegal drugs. Much has been learned in the last two years since the enactment of the Anti-Drug Abuse Act of 1986 about what works and what does not. As we implement the state block grant programs authorized by the Anti-Drug Abuse Act of 1988, it is crucial that we share information on effective programs and practices in order to build our future strategies upon this base of knowledge.

Learn how other states are addressing interdisciplinary issues, such as drug enforcement in the schools and drug treatment in correctional institutions. Time will be provided during the meetings for you to discuss these issues as they relate to the problems in your state and to lay the foundation for a coordinated state strategy and joint program planning. You will also be provided with an opportunity to discuss with and make recommendations to the sponsoring Federal agencies on increased coordination and cooperation between the Federal Government and the states.

The seminar is the result of efforts by the Department of Education, the Alcohol, Drug Abuse and Mental Health Administration in the Department of Health and Human Services and the Bureau of Justice Assistance in the Department of Justice to coordinate activities related to the Anti-Drug Abuse state block grant programs administered by these agencies. The spirit of cooperation between the Federal Government and the states in preventing, treating and controlling illegal drug use in this country is evidenced by the participation of the National Governor's Association, the National Association of State Alcohol and Drug Abuse Directors and the National Criminal Justice Association in this seminar.

WHO SHOULD ATTEND

State-level decision makers responsible for the development of drug control strategies under state block grant programs of the Anti-Drug Abuse Act and for advising the Governor on drug-related policy in the state are invited to attend the seminar, including:

Governor's staff responsible for drug-related issues
State Legislators
State Education Agencies
State Substance Abuse Agencies
Criminal Justice Agency responsible for administration of the Drug
  Control and System Improvement Grant Program
State Corrections Agencies
State Vocational Training and Rehabilitation Agencies
State Mental Health Agencies
State Law Enforcement Agencies
State Prosecution Agencies
Chairs of drug-related advisory boards and commissions
Statistical Analysis Centers
Chairs of mental health advisory boards
Other state officials involved in developing drug-related policy

MEETING DATES

The joint seminar to explore drug prevention, treatment and control issues will begin at 8:30 a.m. on Tuesday, February 14, 1989, and adjourn at 1:30 p.m. on Thursday, February 16, 1989. Meeting hours will be 8:30 a.m. until approximately 5:30 p.m. with a working lunch each day.

MEETING EXTENSIONS

The Alcohol, Drug Abuse and Mental Health Administration will hold a briefing on the block grant requirements and Federal activities authorized by the Act for the state substance abuse and mental health representatives.

The Bureau of Justice Assistance will hold a briefing on criminal justice programs and issues which do not involve drug education and treatment for the representatives from the state criminal justice agencies.

Both of the meeting extensions will begin on Thursday, February 16, 1989, immediately following the joint meeting and will adjourn at 1:00 p.m. on Friday, February 17, 1989.

TENTATIVE AGENDA

DAY 1 – TUESDAY

- **Introduction - Purpose of the Meeting**

- **Developing a Comprehensive Statewide Drug Strategy**

  State models for development of a comprehensive strategy

- **State by state roundtable discussion of the development of a comprehensive strategy or joint planning around specific issues within their state. How can the Federal Government help to facilitate these efforts?**

- **Education/Prevention Programs**

  Drug Abuse Resistance Education (DARE) Program

  Demand Reduction Programs involving Justice Department agencies

  Department of Education sponsored education/law enforcement partnerships

  High-Risk Youth Programs

  Office of Substance Abuse Prevention (OSAP) Drug-Free Media Campaign and Prevention Communication Strategy

  National Crime Prevention Campaign (McGruff) drug abuse prevention programs

- **Issues Related to Drug Abuse in Schools**

  School policies related to drug possession and use

  Drug-free zones around schools

  Undercover officers in the schools

  Student assistance programs

DAY 2 - WEDNESDAY

- Summary of Previous Day

- **State by state roundtable discussion of what needs to be done within the states to facilitate greater involvement of criminal justice and treatment agencies with drug programs in the schools and to keep schools drug-free. How can the Federal Government help to facilitate these efforts?**

- **Identification of drug users and monitoring of drug use while in treatment**

  Non-intrusive testing to identify persons impaired by drugs

  IV drug use and Acquired Immune Deficiency Syndrome (AIDS)

  Drug testing of arrestees and the role of pretrial services agencies

  Drug treatment for and monitoring of drug use by offenders while on probation or parole

- **Lunch and state by state roundtable discussion of legal or other issues surrounding the identification of drug users for purposes of treatment or monitoring. How can the Federal Government help the states address these issues?**

- **Referral to treatment and availability of services**

  School referral alternatives and strategies for treatment

  Treatment Alternatives to Street Crime (TASC) programs

  Types of treatment services available and how to determine appropriate referrals

  Impact of drug cases on the criminal justice and treatment systems

DAY 3 - THURSDAY

- **Integration of Treatment Services With Correctional Populations**

  Effectiveness of treatment under criminal justice sanctions

  State Department of Corrections Comprehensive Drug Treatment Strategies

  Health/Corrections interface related to drug treatment for corrections populations in jails and on probation and parole

  Examples of treatment programs in institutions which are operated by the treatment community

  Aftercare programs

- **Lunch and state by state roundtable discussion of who should provide drug education and treatment services to offenders while incarcerated in prisons, local jails and juvenile correctional institutions. Should criminal justice agencies establish another competing system to provide these services to their clients or should treatment agencies expand services to include this population? How can the Federal Government assist the states in addressing these issues?**

- **Joint Conference wrap-up**

EXTENSION FOR BRIEFING ON COMPREHENSIVE ALCOHOL, DRUG ABUSE AND MENTAL HEALTH AMENDMENTS ACT OF 1988

- Introduction
- Review of new legislation

  Allocation formula

  New initiatives, set-asides and requirements

  Supplemental Substance Abuse/Intravenous (IV) Funds

- Data Collection

  New data requirements

  Block grant set-asides for data collection

  Federal/state cooperation

  Federal plans: incidence, prevalence and general purpose data

- Services research on alcohol, drug abuse, mental health (ADM) treatment programs

  Community-based mental health research and evaluation plans
    - Research centers
    - Model plans for the chronically mentally ill
    - Role of State Mental Health Directors

  Community-based alcohol and drug abuse treatment evaluation
    - Linkages with group homes concept

- Technical Assistance

  Identifying technical assistance needs

  Federal/state cooperation through national organizations

  Future plans and schedules

EXTENSION OF MEETING TO ADDRESS CRIMINAL JUSTICE ISSUES

- **Discussion of corrections policy**

  Corrections Policy

  Structured Sentencing

  Prison Industries

- **Discussion of application review process and administrative, reporting and evaluation requirements**

  Uniform monitoring and evaluation data

- **Discussion of how to achieve greater judicial participation in planning and program development in the states**

- **Discussion of state and local asset seizure and forfeiture and other prosecution programs**

  Asset seizure and forfeiture activities: the need to strengthen state legislation and issues related to project income.

  Prosecution issues: Federal vs. state prosecution, criminal/civil judicature, state Racketeer Influenced and Corrupt Organization (RICO) and Continuing Criminal Enterprise (CCE) legislation

- **Issues related to drug enforcement programs**

  Technical assistance and training: What is available? Why duplicate? What provision can be made to provide resources for state and local practitioners to attend training when it is offered?

  The barriers to effective apprehension programs: limited jail space, prosecution resources and crime lab backlog. The need to monitor and address system impact.

  Supervision of confidential funds, informants and files.
  Multijurisdictional task forces: shared management and supervision

  Computer hardware and software purchases: technical assistance available, tracking and management issues, (28 CFR Part 23 issues)

How to recognize and prevent corruption among narcotics enforcement officers

Clandestine labs - Occupational Safety and Health Administration (OSHA) standards

Coordination with Drug Enforcement Administration (DEA), U.S. Customs Service, Bureau of Alcohol, Tobacco and Firearms (ATF) and other Federal drug enforcement agencies

Coordination among programs with overlapping responsibilities: Organized Crime and Drug Enforcement Programs, Gang Reduction Programs and Crack Task Forces.

MEETING RESERVATIONS

Please complete the registration form on the back of this announcement and send it to the Bureau of Justice Assistance, 633 Indiana Ave., N.W., Washington, D.C. 20531. Reservations must be received by January 20, 1989.

MEETING LOCATION

The seminar will be held in San Antonio, Texas, at the Holiday Inn on the Riverwalk, located at 217 N. St. Mary Street in San Antonio.

San Antonio International Airport is located 20 minutes from the hotel. There is a shuttle bus called "Supervan Shuttle" which will take you from the airport to the hotel. The shuttle bus leaves the airport every 30 minutes and costs $6.

HOTEL RESERVATIONS

Hotel reservations are the responsibility of the participants. However, special rates of $65 for a single and $65 for a double have been arranged. The hotel has agreed to extend these rates to the weekend after the meeting for participants wishing to spend additional time in the area.

Reservations must be made by January 20, 1989. Please let the hotel know that you will be attending the "Federal Drug Seminar" to obtain the special rate. Call the hotel directly on (512) 224-2500. If you have questions or need assistance with arrangements, call Sandra Gregg, Bureau of Justice Assistance, on (202) 724-5974.

REGISTRATION FORM

To enroll in the Comprehensive Drug Prevention, Education, Treatment and Enforcement Strategy and Program Development Seminar in San Antonio, Texas, please complete and mail this form no later than January 20, 1989, to:

Bureau of Justice Assistance
633 Indiana Ave., N.W.
Washington, D.C. 20531
(202) 724-5974

NAME ____________________

TITLE ____________________

AGENCY ____________________

ADDRESS ____________________

____

TELEPHONE ____________________

Please indicate the sessions which you plan to attend.

__ Joint Seminar

__ ADMS Block Grant Implementation Briefing Extension

__ Criminal Justice Briefing Extension

ATTACHMENT 4 INDEX

BUREAU OF JUSTICE ASSISTANCE
TRAINING PROGRAM

Item	Number
Projected Cost of BJA Training Programs	4-a
Law Enforcement Branch Training Calander	4-b
Prosecution Branch Training Calander	4-c
Courts Branch Training Calander	4-d
Correction Branch Training Calander	4-e
Drug Abuse Information Systems Training Calander	4-f

KEY POINTS:

- BJA training programs are designed to meet the training needs of state and local officials in all component areas of drug control.
- Training is conducted predominantly on a regional basis to minimize travel cost of participants. No attendees are charged to participate in the training programs.

attachment 4-a

2/28/89

PROJECTED COST OF BUREAU OF JUSTICE ASSISTANCE TRAINING PROGRAMS FOR FY 1989 AND LATER AS SCHEDULED

BJA Discretionary Grant Branch	Projected Costs	Timeframe
Law Enforcement	$3,040,000	CY 1989
Prosecution	114,000	FY 1989
Courts	280,000	FY 1990
Corrections	250,000	CY 1989
Drug Abuse Info Systems	837,000	CY 1989
Total Projected Costs	$4,521,000	

CY - Calender Year
FY - Fiscal Year

DATE: Feb 28/
attachment 4-b

FISCAL YEAR 1989 LAW ENFORCEMENT BRANCH TRAINING CALENDAR

DATE	COURSE	LOCATION	SPONSOR	CONTACT PERSON/PHONE NUMBER	AUDIENCE	SYNOPSIS
Jan 11-13/89	FINANCIAL INVESTIGATIONS TRAINING PROGRAM	FT. LAUDERDALE, FL	FBI	ELLIOTT LEARY 703-640-6131	STATE AND LOCAL INVESTIGATORS AND PROSECUTORS	TRAINING IN THE APPLICATION OF FINANCIAL INVESTIGATION AND PROSECUTION TECHNIQUES INVOLVED IN NARCOTICS CONSPIRACIES
Jan 16-18/89	MODERN LAW ENFORCEMENT MANAGEMENT STRATEGIES: ICAP	CHARLESTON, SC	PF	DENNIS KENNEY 202-833-1460	STATE AND LOCAL INVESTIGATORS AND POLICE PLANNERS	EXPLORES THE PRINCIPAL COMPONENTS OF THE METHODS OF OPERATIONS MANAGEMENT
Jan 23-26/89	BASIC DRUG INVESTIGATORS COURSE	BATON ROUGE, LA	ILJ	MIKE MCCAMPBELL 703-549-7466	LOCAL INVESTIGATORS	BASIC TRAINING IN NARCOTICS INVESTIGATI RECENTLY ASSIGNED PERSONNEL TO DRUG UNIT INVESTIGATIONS
Jan 23-26/89	ADVANCED NARCOTICS INVESTIGATIONS: CONSPIRACY AND RICO	NEW ORLEANS, LA	ILJ	MIKE MCCAMPBELL 703-549-7466	STATE AND LOCAL INVESTIGATORS	ADVANCED TRAINING FOR INVESTIGATORS INVO IN COMPLEX CONSPIRACY INVESTIGATIONS OF NARCOTICS TRAFFICKERS
Jan 24-25/89	FINANCIAL INVESTIGATIONS	BOSTON, MA	ILJ	MIKE MCCAMPBELL 703-549-7466	LOCAL INVESTIGATORS	TRAINING IN USE OF FINANCIAL INVESTIGATI TECHNIQUES AS APPLIED TO NARCOTICS TRAFF CASES
Jan 24-26/89	CLANDESTINE LAB AWARENESS TRAINING	ALEXANDRIA, VA	NSA	MICHAEL G. PICINI 703-836-7827	SENIOR COUNTY AND MUNICIPAL - EXECUTIVES AND PLANNERS	PROVIDES AWARENESS TRAINING TO ELECTED A APPOINTED LOCAL OFFICIALS IN PROBLEMS PO CLANDESTINE LABS
Jan 24-25/89	CALIFORNIA ASSET SEIZURE SEMINAR	ONTARIO, CA	WSIN	MIKE SCOTT 916-924-2654	STATE AND LOCAL INVESTIGATORS IN CALIFORNIA	TRAINING IN USE OF CALIFORNIA ASSET SEIZ AND FORFEITURE STATUTES
Jan 30- 3/89	NARCOTICS INVESTIGATORS COURSE	HONOLULU, HI	WSIN	MIKE SCOTT 916-924-2654	STATE AND LOCAL INVESTIGATORS IN HAWAII	TRAINING IN TECHNIQUES USED IN NARCOTICS INVESTIGATIONS

DATE	COURSE	LOCATION	SPONSOR	CONTACT PERSON/PHONE NUMBER	AUDIENCE	SYNOPSIS
Feb 6- 8/89	ASSET SEIZURE AND FORFEITURE	DES MOINES, IA	PERF	CLIFF KARCHMER 202-466-7820	STATE AND LOCAL INVESTIGATORS AND PROSECUTORS	USE OF STATE ASSET SEIZURE AND FORFEITUR STATUTES IN NARCOTICS TRAFFICKING CASES
Feb 6- 8/89	SUPERVISION/MANAGEMENT OF DRUG INVESTIGATIONS	JACKSON, MS	ILJ	MIKE MCCAMPBELL 703-549-7466	STATE AND LOCAL NARCOTIC UNIT SUPERVISORS	TRAINING IN MULTIPLE FACETS OF SUPERVISI MANAGING DRUG INVESTIGATION UNITS AND INVESTIGATIONS
Feb 7- 8/89	DRUG AWARENESS TRAINING	MAUI, HI	WSIN	MIKE SCOTT 916-924-2654	LOCAL INVESTIGATORS	TRAINING IN RECOGNITION OF TYPES AND USE VARIOUS ABUSED SUBSTANCES
Feb 7- 8/89	CALIFORNIA ASSET SEIZURE SEMINAR	SAN FRANCISCO, CA	WSIN	MIKE SCOTT 916-924-2654	STATE AND LOCAL INVESTIGATORS IN CALIFORNIA	TRAINING IN USE OF CALIFORNIA ASSET SEIZ AND FORFEITURE STATUTES
Feb 13-15/89	CONFRONTING THE PROBLEM OF PROPERTY CRIME: STING	CHICAGO, IL	PF	DENNIS KENNEY 202-833-1460	LOCAL INVESTIGATORS	PRESENTS A THOROUGH REVIEW OF SUCCESSFUL PLANNING AND IMPLEMENTATION OF A STING PR
Feb 14-16/89	ASSET FORFEITURE TRAINING	BOZEMAN, MT	RMIN	FERRIS GROLL 602-223-2561	LOCAL INVESTIGATORS	TRAINING IN USE OF FEDERAL AND STATE ASSE SEIZURE AND FORFEITURE STATUTES
Feb 20-23/89	ROCIC QUARTERLY CONFERENCE	JACKSONVILLE, FL	ROCIC	LEON STROMATT 615-871-0013	ROCIC MEMBERSHIP	QUARTERLY INFORMATION SHARING CONFERENCE ROCIC MEMBERS WITH EMPHASIS ON TERRORISM INTELLIGENCE ANALYSIS
Feb 20-21/89	CALIFORNIA ASSET SEIZURE SEMINAR	ORANGE COUNTY, CA	WSIN	MIKE SCOTT 916-924-2654	STATE AND LOCAL INVESTIGATORS IN CALIFORNIA	TRAINING IN USE OF CALIFORNIA ASSET SEIZU AND FORFEITURE STATUTES
Feb 20-21/89	SATANISM/OCCULT CONFERENCE	CRAIG, CO	RMIN	FERRIS GROLL 602-223-2561	LOCAL INVESTIGATORS	TRAINING IN RECOGNITION OF AND INVESTIGATI OF EMERGING PROBLEMS OF SATANIC CULTS

DATE	COURSE	LOCATION	SPONSOR	CONTACT PERSON/PHONE NUMBER	AUDIENCE	SYNOPSIS
Feb 21-24/89	FINANCIAL INVESTIGATIONS TRAINING PROGRAM	PHOENIX, AZ	FBI	ELLIOTT LEARY 703-640-6131	STATE AND LOCAL INVESTIGATORS AND PROSECUTORS	TRAINING IN THE APPLICATION OF FINANCIAL INVESTIGATION AND PROSECUTION OF TECHNIQU INVOLVED IN NARCOTICS CONSPIRACIES
Feb 22-23/89	CALIFORNIA ASSET SEIZURE SEMINARS	SACRAMENTO, CA	WSIN	MIKE SCOTT 916-924-2654	STATE AND LOCAL INVESTIGATORS IN CALIFORNIA	TRAINING IN USE OF CALIFORNIA ASSET SEIZU AND FORFEITURE STATUTES
Feb 27-28/89	DRUG INVESTIGATIONS FOR PATROL OFFICERS	CASA GRANDE, AZ	ILJ	MIKE MCCAMPBELL 703-549-7466	LOCAL PATROL OFFICERS	FOCUSES ON BASIC SKILLS NEEDED TO RECOGNI AND INVESTIGATE STREET-LEVEL NARCOTICS TRANSACTIONS
Mar 13-15/89	MODERN LAW ENFORCEMENT MANAGEMENT STRATEGIES: ICAP	SAN ANTONIO, TX	PF	DENNIS KENNEY 202-833-1460	STATE AND LOCAL INVESTIGATORS AND POLICE PLANNERS	EXPLORES THE PRINCIPAL COMPONENTS OF THE METHODS OF OPERATIONS MANAGEMENT
Mar 13-17/89	FINANCIAL INVESTIGATIONS TRAINING PROGRAM	BURLINGTON, VT	FBI	ELLIOTT LEARY 703-640-6131	STATE AND LOCAL INVESTIGATORS AND PROSECUTORS	TRAINING IN THE APPLICATION OF FINANCIAL INVESTIGATION AND PROSECUTION TECHNIQUES INVOLVED IN NARCOTICS CONSPIRACIES
Mar 13-15/89	SUPERVISION/MANAGEMENT OF DRUG INVESTIGATIONS	LONG BEACH, CA	ILJ	MIKE MCCAMPBELL 703-549-7466	STATE AND LOCAL NARCOTIC UNIT SUPERVISORS	TRAINING IN MULTIPLE FACETS OF SUPERVISIN MANAGING DRUG INVESTIGATION UNITS OR INVESTIGATIONS
Mar 14-16/89	NARCOTICS: FUTURE TRENDS AND STRATEGIES	CHERRY HILL, NJ	MAGLOC	HARRY MCCANN 215-644-1607	CJ PLANNERS AND SUPERVISORY LAW ENFORCEMENT PERSONNEL	CONFERENCE DESIGNED TO ASSESS VARIOUS STRATEGIES AGAINST NARCOTICS TRAFFICKING TRENDS IN MAGLOCLEN SERVICE AREA
Mar 15-16/89	CLANDESTINE LABORATORY CONFERENCE	ST. LOUIS, MO	MOCIC	BOB HAMILTON 417-883-4383	MOCIC AREA STATE AND LOCAL INVESTIGATORS	TRAINING IN RECOGNITION AND INVESTIGATIO CLANDESTINE LABORATORY ACTIVITY
Mar 20-24/89	FRAUD INVESTIGATION SEMINAR	SPARKS, NV	RMIN	FERRIS GROLL 602-223-2561	LOCAL INVESTIGATORS	TRAINING IN INVESTIGATION AND PROSECUTIO FRAUD

DATE	COURSE	LOCATION	SPONSOR	CONTACT PERSON/PHONE NUMBER	AUDIENCE	SYNOPSIS
Mar 21-23/89	ASSET SEIZURE AND FORFEITURE	SPARKS, NV	PERF	CLIFF KARCHMER 202-466-7820	STATE AND LOCAL INVESTIGATORS AND PROSECUTORS	USE OF STATE ASSET SEIZURE AND FORFEITU STATUTES IN NARCOTICS TRAFFICKING CASES
Mar 27-30/89	DRUG INVESTIGATION FOR PATROL OFFICERS	ST LOUIS, MO	ILJ	MIKE MCCAMPBELL 703-549-7466	LOCAL PATROL OFFICERS	FOCUSES ON BASIC SKILLS NEEDED TO RECO AND INVESTIGATE STREET-LEVEL NARCOTICS TRANSACTIONS
Mar 27-29/89	DRUG INDUCED ROBBERY SEMINAR	LAS VEGAS, NV	RMIN	FERRIS GROLL 602-223-2561	LOCAL INVESTIGATORS	CONFERENCE FOCUSING ON INVESTIGATION O ROBBERIES CAUSED BY DRUG USE
Mar 28-30/89	SATANISM/OCCULT SEMINAR	KALISPELL, MT	RMIN	FERRIS GROLL 602-223-2561	LOCAL INVESTIGATORS	TRAINING IN RECOGNITION OF AND INVESTI OF EMERGING PROBLEMS OF SATANIC CULTS
Mar 28-30/89	NARCOTICS ENFORCEMENT AND ORGANIZED GANGS	PHOENIX, AZ	ILJ	MIKE MCCAMPBELL 703-549-7466	STATE AND LOCAL INVESTIGATORS AND PROSECUTORS	TRAINING IN PRACTICAL AND EFFECTIVE ME USED TO RECOGNIZE AND SUPPRESS GANG RE ACTIVITIES
Apr 3-5/89	SUPERVISION/MANAGEMENT OF DRUG INVESTIGATIONS	KANSAS CITY, MO	ILJ	MIKE MCCAMPBELL 703-549-7466	STATE AND LOCAL NARCOTIC UNIT SUPERVISORS	TRAINING IN MULTIPLE FACETS OF SUPERVI MANAGING DRUG INVESTIGATION UNITS AND INVESTIGATIONS
Apr 4-6/89	DEADLY FORCE WORKSHOP	TUCSON, AZ	IACP	RON MCCARTHY 703-243-6500	LAW ENFORCEMENT EXECUTIVES	EXPLORES ISSUES SURROUNDING USE OF DEA FORCE AND PROVIDES SUGGESTED MODEL POL FOR USE BY LAW ENFORCEMENT EXECUTIVES
Apr 10-12/89	CONFRONTING THE PROBLEM OF PROPERTY CRIME: STING	NEW ORLEANS, LA	PF	DENNIS KENNEY 202-833-1460	LOCAL INVESTIGATORS	PRESENTS A THOROUGH REVIEW OF SUCCESSF PLANNING AND IMPLEMENTATION OF A STING
Apr 10-14/89	WHITE COLLAR CRIME CONFERENCE	PHOENIX, AZ	RMIN	FERRIS GROLL 602-223-2561	STATE AND LOCAL INVESTIGATORS AND PROSECUTORS	TRAINING IN INVESTIGATION OF WHITE COL CRIME, INCLUDING REAL ESTATE AND COMPU FRAUD

DATE	COURSE	LOCATION	SPONSOR	CONTACT PERSON/PHONE NUMBER	AUDIENCE	SYNOPSIS
Apr 16-20/89	NATIONAL CONFERENCE ON MISSING PERSONS	NASHVILLE, TN	ROCIC	LEON STROMATT 615-871-0013	FEDERAL, STATE AND LOCAL INVESTIGATORS AND PROSECUTORS	OPERATIONAL CONFERENCE DESIGNED TO SHARE INFORMATION ON OPEN CASES AND PROVIDE TR IN INVESTIGATIVE TECHNIQUES
Apr 17-19/89	SUPERVISION/MANAGEMENT OF DRUG INVESTIGATIONS	ALEXANDRIA, VA	ILJ	MIKE MCCAMPBELL 703-549-7466	STATE AND LOCAL NARCOTIC UNIT SUPERVISORS	TRAINING IN MULTIPLE FACETS OF SUPERVISI MANAGING DRUG INVESTIGATION UNITS AND INVESTIGATIONS
Apr 24-25/89	WSIN WASHINGTON TRAINING CONFERENCE	SEATTLE, WA	WSIN	MIKE SCOTT 916-924-2654	WASHINGTON STATE WSIN MEMBERS	TRAINING IN DRUG PROBLEMS IN STATE INCLU METH LABS, MEXICAN GANGS, AND STREET TRAFFICKING
Apr 24-26/89	DRUG INVESTIGATION FOR PATROL OFFICERS	BINGHAMTON, NY	ILJ	MIKE MCCAMPBELL 703-549-7466	LOCAL PATROL OFFICERS	FOCUSES ON BASIC SKILLS NEEDED TO RECOGNI AND INVESTIGATE STREET-LEVEL NARCOTICS TRANSACTIONS
Apr 25-27/89	ASSET SEIZURE AND FORFEITURE	CHICAGO, IL	RMIN	FERRIS GROLL 602-223-2561	STATE AND LOCAL INVESTIGATORS AND PROSECUTORS	USE OF STATE ASSET SEIZURE AND FORFEITURE STATUTES IN NARCOTICS TRAFFICKING CASES
Apr 26-28/89	DEADLY FORCE WORKSHOP	SAN ANTONIO, TX	IACP	RON MCCARTHY 703-243-6500	LAW ENFORCEMENT EXECUTIVES	EXPLORES ISSUES SURROUNDING USE OF DEADLY FORCE AND PROVIDES SUGGESTED MODEL POLICI FOR USE BY LAW ENFORCEMENT EXECUTIVES
May 2-4/89	DEADLY FORCE WORKSHOP	PITTSBURGH, PA	IACP	RON MCCARTHY 703-243-6500	LAW ENFORCEMENT EXECUTIVES	EXPLORES ISSUES SURROUNDING USE OF DEADLY FORCE AND PROVIDES SUGGESTED MODEL POLICI FOR USE BY LAW ENFORCEMENT EXECUTIVES
May 8-11/89	BASIC DRUG INVESTIGATORS COURSE	PORTLAND, OR	ILJ	MIKE MCCAMPBELL 703-549-7466	STATE AND LOCAL INVESTIGATORS	BASIC TRAINING IN NARCOTICS INVESTIGATION RECENTLY ASSIGNED PERSONNEL TO DRUG UNITS INVESTIGATIONS
May 8-10/89	CONFRONTING THE PROBLEM OF PROPERTY CRIME: STING	SAN FRANCISCO, CA	PF	DENNIS KENNEY 202-833-1460	LOCAL INVESTIGATORS	PRESENTS A THROUGH REVIEW OF SUCCESSFUL PLANNING AND IMPLEMENTATION OF A STING PR

DATE	COURSE	LOCATION	SPONSOR	CONTACT PERSON/PHONE NUMBER	AUDIENCE	SYNOPSIS
May 10-12/89	DEADLY FORCE WORKSHOP	NASHVILLE, TN	IACP	RON MCCARTHY 703-243-6500	LAW ENFORCEMENT EXECUTIVES	EXPLORES ISSUES SURROUNDING USE OF DEADLY FORCE AND PROVIDES SUGGESTED MODEL POLICIE FOR USE BY LAW ENFORCEMENT EXECUTIVES
May 15-19/89	MAGLOCLEN ANNUAL MEETING: WHITE COLLAR CRIME	CHERRY HILL, NJ	MAGLOC	HARRY MCCANN 215-644-1607	MAGLOCLEN MEMBERS	MAGLOCLEN'S ANNUAL MEETING WILL HAVE A FOC ON WHITE COLLAR CRIME PROBLEMS IN THEIR SERVICE AREA
May 22-26/89	ADVANCED NARCOTICS INVESTIGATIONS: CONSPIRACY AND RICO	TRENTON, NJ	ILJ	MIKE MCCAMPBELL 703-549-7466	STATE AND LOCAL INVESTIGATORS	ADVANCED TRAINING FOR INVESTIGATORS INVOLV IN COMPLEX CONSPIRACY INVESTIGATIONS OF NA NARCOTICS TRAFFICKERS
May 22-25/89	DRUG INVESTIGATION FOR PATROL OFFICERS	SAN ANGELO, TX	ILJ	MIKE MCCAMPBELL 703-549-7466	LOCAL PATROL OFFICERS	FOCUSES ON BASIC SKILLS NEEDED TO RECOGNIZ AND INVESTIGATE STREET LEVEL NARCOTICS TRANSACTIONS
Jun 6- 8/89	DEADLY FORCE WORKSHOP	DAYTONA BEACH, FL	IACP	RON MCCARTHY 703-243-6500	LAW ENFORCEMENT EXECUTIVES	EXPLORES ISSUES SURROUNDING USE OF DEADLY FORCE AND PROVIDES SUGGESTED MODEL POLICIE FOR USE BY LAW ENFORCEMENT EXECUTIVES
Jun 6- 9/89	WSIN ANNUAL CONFERENCE	SACRAMENTO, CA	WSIN	MIKE SCOTT 916-924-2654	WSIN MEMBERS	ANNUAL MEMBERSHIP CONFERENCE OF WSIN WITH SPECIAL EMPHASIS ON STREET GANG INVOLVEME NARCOTICS TRAFFICKING
Jun 19-23/89	DRUG INVESTIGATION FOR PATROL OFFICERS	ROCHESTER, NY	ILJ	MIKE MCCAMPBELL 703-549-7466	LOCAL PATROL OFFICERS	FOCUSES ON BASIC SKILLS NEEDED TO RECOGNI AND INVESTIGATE STREET LEVEL NARCOTICS TRANSACTIONS
Jun 20-22/89	DEADLY FORCE WORKSHOP	INDIANAPOLIS, IN	IACP	RON MCCARTHY 703-243-6500	LAW ENFORCEMENT EXECUTIVES	EXPLORES ISSUES SURROUNDING USE OF DEADLY FORCE AND PROVIDES SUGGESTED MODEL POLICI FOR USE BY LAW ENFORCEMENT EXECUTIVES
Jun 26-30/89	JAMAICAN ORGANIZED CRIME	BALTIMORE, MD	MAGLOC	HARRY MCCANN 215-644-1607	FEDERAL, STATE AND LOCAL INVESTIGATORS AND PROSECUTORS	TRAINING IN ASSESSING THE EXTENT OF AND INVESTIGATING NARCOTICS TRAFFICKING BY ORGANIZED JAMAICAN GROUPS

DATE	COURSE	LOCATION	SPONSOR	CONTACT PERSON/PHONE NUMBER	AUDIENCE	SYNOPSIS
Jun 26-29/89	DRUG INVESTIGATION FOR PATROL OFFICERS	LOUISVILLE, KY	ILJ	MIKE MCCAMPBELL 703-549-7466	LOCAL PATROL OFFICERS	FOCUSES ON BASIC SKILLS NEEDED TO RECOGNI AND INVESTIGATE STREET LEVEL NARCOTICS TRANSACTIONS
Jul 11-13/89	DEADLY FORCE WORKSHOP	KANSAS CITY, MO	IACP	RON MCCARTHY 703-243-6500	LAW ENFORCEMENT EXECUTIVES	EXPLORES ISSUES SURROUNDING USE OF DEADLY FORCE AND PROVIDES SUGGESTED MODEL POLICI FOR USE BY LAW ENFORCEMENT EXECUTIVES
Jul 25-27/89	DEADLY FORCE WORKSHOP	MANCHESTER, NH	IACP	RON MCCARTHY 703-243-6500	LAW ENFORCEMENT EXECUTIVES	EXPLORES ISSUES SURROUNDING USE OF DEADLY FORCE AND PROVIDES SUGGESTED MODEL POLICI FOR USE BY LAW ENFORCEMENT EXECUTIVES
Aug 7-9/89	DEADLY FORCE WORKSHOP	MINNEAPOLIS, MN	IACP	RON MCCARTHY 703-243-6500	LAW ENFORCEMENT EXECUTIVES	EXPLORES ISSUES SURROUNDING USE OF DEADLY FORCE AND PROVIDES SUGGESTED MODEL POLIC FOR USE BY LAW ENFORCEMENT EXECUTIVES
Aug 21-23/89	ADVANCED NARCOTICS INVESTIGATIONS: CONSPIRACY AND RICO	LONG BEACH, CA	ILJ	MIKE MCCAMPBELL 703-549-7466	STATE AND LOCAL INVESTIGATORS	ADVANCED TRAINING FOR INVESTIGATORS INVO IN COMPLEX CONSPIRACY INVESTIGATIONS OF NARCOTICS TRAFFICKERS
Aug 22-24/89	DEADLY FORCE WORKSHOP	PORTLAND, OR	IACP	RON MCCARTHY 703-243-6500	LAW ENFORCEMENT EXECUTIVES	EXPLORES ISSUES SURROUNDING USE OF DEADLY FORCE AND PROVIDES SUGGESTED MODEL POLIC FOR USE BY LAW ENFORCEMENT EXECUTIVES
Sep 11-13/89	NARCOTICS ENFORCEMENT AND ORGANIZED GANGS	KANSAS CITY, MO	ILJ	MIKE MCCAMPBELL 703-549-7466	STATE AND LOCAL INVESTIGATORS AND PROSECUTORS	TRAINING IN PRACTICAL AND EFFECTIVE METH USED TO RECOGNIZE AND SUPPRESS GANG RELA ACTIVITIES
Sep 18-21/89	MOCIC ANNUAL CONFERENCE	RAPID CITY, SD	MOCIC	BOB HAMILTON 417-883-4383	MOCIC MEMBERSHIP	ANNUAL TRAINING AND MEMBERSHIP CONFERENC MOCIC
Oct 16-18/89	SUPERVISION/MANAGEMENT OF DRUG INVESTIGATIONS	BISMARCK, ND	ILJ	MIKE MCCAMPBELL 703-549-7466	STATE AND LOCAL NARCOTICS UNIT SUPERVISORS	TRAINING IN MULTIPLE FACETS OF SUPERVISI MANAGING DRUG INVESTIGATION UNITS AND INVESTIGATIONS

DATE	COURSE	LOCATION	SPONSOR	CONTACT PERSON/PHONE NUMBER	AUDIENCE	SYNOPSIS
Oct 23-25/89	SUPERVISION/MANAGEMENT OF DRUG INVESTIGATIONS	HUNTSVILLE, TX	ILJ	MIKE MCCAMPBELL 703-549-7466	STATE AND LOCAL NARCOTICS UNIT SUPERVISORS	TRAINING IN MULTIPLE FACETS OF SUPERVISIN MANAGING DRUG INVESTIGATION UNITS AND INVESTIGATIONS
Nov 6-8/89	SUPERVISION/MANAGEMENT OF DRUG INVESTIGATIONS	MERIDEN, CT	ILJ	MIKE MCCAMPBELL 703-549-7466	STATE AND LOCAL NARCOTICS UNIT SUPERVISORS	TRAINING IN MULTIPLE FACETS OF SUPERVISIN MANAGING DRUG INVESTIGATION UNITS AND INVESTIGATIONS
Nov 13-15/89	USING MICROCOMPUTERS IN NARCOTICS INVESTIGATIONS	LONG BEACH, CA	ILJ	MIKE MCCAMPBELL 703-549-7466	ENFORCEMENT ADMINISTRATORS, SUPERVISORS AND ANALYSTS	HARDWARE AND SOFTWARE ISSUES INVOLVED IN SELECTING AND USING MICROCOMPUTERS FOR NARCOTICS INVESTIGATIONS
Dec 11-13/89	SUPERVISION AND MANAGEMENT OF DRUG INVESTIGATIONS	CLEARWATER, FL	ILJ	MIKE MCCAMPBELL 703-549-7466	STATE AND LOCAL NARCOTICS UNIT SUPERVISORS	TRAINING IN MULTIPLE FACETS OF SUPERVISIN MANAGING DRUG INVESTIGATION UNITS AND INVESTIGATIONS

attachment 4-c

PROSECUTION BRANCH TRAINING CALENDAR

DATE	COURSE	LOCATION	SPONSOR	AUDIENCE
December 13, 1988	Hawaii's Civil RICO Statute and Drug Enforcement	Honolulu, Hawaii	NAAG & Hawaii AG's Office	Hawaii Attorney Gener Prosecutors and Invest gators, law enforceme personnel and the Hon District Attorney.
January 11 - 12, 1989	The Use of Colorado's Civil RICO Statute in Drug Enforcement	Denver, Colorado	NAAG & Colorado AG's Office	Attorney General Pers and Public Safety Dep ment Officials in Col
January 13, 1989	The Use of Civil Remedies in Drug Enforcement in New Mexico	Santa Fe, New Mexico	NAAG & New Mexico Department of Public Safety	New Mexico State Poli law enforcement offic and personnel
February 8, 1989	Drug Prosecution Seminar	Philadelphia, PA	APRI	Pennsylvania prosecut
February 13 - 15, 1989	NDAA/APRI Mid-Winter Institute	San Francisco, CA	NDAA/APRI	State and local prose
February 14 - 16, 1989	Washington's Civil RICO Statute and Drug Enforcement	Seattle, Washington	NAAG & Washington AG's Office	Local, state and Fede prosecutors and inves tive personnel in Was ton.
February 21 - 23, 1989	The Use of Rhode Island's Civil RICO Statute in Drug Enforcement	Providence, Rhode Island	NAAG & Rhode Island AG's Office	State prosecutors, ar state and local inves tors in Rhode Island.
April 9 - 12, 1989	Western Regional RICO Conference	Denver, Colorado	NAAG & Colorado AG's Office	State and local prose and investigators nat wide.
May 22 -24, 1989	Investigating and Prosecuting Drug Offenses	Hartford, CT	APRI	Connecticut prosecut

June 1 - 3, 1989	Drugs and Crime: The Prosecutor's Role	Seattle, Washington	APRI	Elected/appointed loca prosecutors.
July, 1989	The Use of Washington's Civil RICO Statute in Drug Enforcement	Seattle, Washington	NAAG Civil RICO Project	State and local prosec and investigative pers in Washington.
July/August, 1989	Eastern Regional RICO Conference	To be determined	NAAG Civil RICO Project	State and local prosec and investigators nati wide.
Summer, 1989	The Use of Mississippi's Civil RICO Statute	Mississippi (City to be determined)	NAAG & Mississippi AG's Office	Prosecutors and invest tors in Mississippi.
September 25 - 27, 1989	Investigating and Prosecuting Drug Offenses	Carlisle, Pennsylvania	APRI	Pennsylvania prosecutc
October 11 - 13, 1989	Drugs and Crime: The Prosecutor's Role	New Orleans, Louisiana	APRI	Elected/appointed loca prosecuotrs

TOTAL PROJECTED COST OF PROSECUTION BRANCH TRAINING: $114,000 attachment 4-d

COURTS BRANCH TRAINING CALENDAR

At the present time, very few formal training opportunities are being supported under ongoing Courts Branch programs, although most programs involve substantial short-term (for any requesting sites) and/or continuing technical assistance (for participating demonstration sites). The following summary reflects firmly scheduled as well as tentatively scheduled training functions from January 1989 forward:

Date	Course	Location	Sponsor	Audience	Synopsis
Feb. 1989	Prosecution Management	Honolulu HI	ATAP	Hawaii prosecutors	Part of general management review
April 1989	Court Delay Reduction	Raleigh NC	ATAP/ NCSC	North Carolina prosecutors	Case mgt. techniques
July 1989	Court Delay Reduction	Richmond VA	ATP/ State of Virginia	Virginia teams of judges, court adm. and others	Pretest of new materials being developed by ATP
August 1989	Drug Abuse & Special Issues in Drug Cases	Reno NV	NJC	Trial court judges (one per state)	Initial presentation of new currriculum
Sept. 1989	Jail Capacity Management	Unknown	ATAP/ ATP	Local teams incl. judges, jail adm. and court personnel	Pretest of materials being developed by ATP
Oct. 1989	Drug Abuse & Special Issues in Drug Cases	Reno NV	NJC	Trial court judges and state judicial educators	Second presentation of new curriculum
Nov. 1989	Jail Capacity Management	Unknown	ATAT/ ATP	State trainers w/ responsibility for jail matters	Training session for trainers
Jan. 1990	Special Issues in Drug Cases	Washington DC	ATAP/ MWCOG	Judges from DC metropolitan area	Focus on sentencing patterns and options

Sept. 1990	Court Management	Phoenix AZ	CCMN/ SJI	Nationwide conference for court professionals	All major courts-related professional organization are involved in planning

The cost of this training to BJA is estimated at $280,000, including direct grants already made, final costs of assignments already past and estimated contributions to future projects not yet finalized.

KEY:

ATAP = Adjudication Technical Assistance Program (approximately 10% of the nearly 200 assignments undertaken by this Program involved training; substantial number of other assignments provided followup to training under the Adjudication Training Program).

ATP = Adjudication Training Program (now restricted to preparation of materials to be utilized by state-level court educators and others).

CCMN = Second Conference on Court Management, with partial funding jointly provided by BJA and SJI, being planned by NCSC and numerous professional organizations of court personnel.

MWCOG= Metropolitan Washington Council of Governments through their own resources.

NCSC = National Center for State Courts through its own training/technical assistance funds, as separate from several BJA supported grants to NCSC.

NJC = National Judicial College--Drug Training for Trial Court Judges Program.

SJI = State Justice Institute, which has a mandate focused specifically on adjudication issues.

SPA = State office responsible for BJA block grants.

attachment 4-e

CORRECTION BRANCH TRAINING CALENDAR

DATE	COURSE	LOCATION	SPONSOR	AUDIENCE
January 12 - 15, 1989	Intensive Supervision for Drug Offenders	San Francisco, California	BJA/NCCD	BJA Intensive Supervision Demonostration Projects
January 15 - 18, 1989	Drug Treatment in a Jail Setting - Workshop	San Antonio, Tx.	ACA	Jail/Corrections Personnel interested in drug treatment
January 16 - 18, 1989	Correctional Industry Workshop	San Antonio, Tx.	ACA	Prison and Jail industry Administrators
January 22 - 26, 1989	Supervision of Drug Offenders for Probation/Parole Agencies	San Antonio, Tx.	Am. Probation/ Assoc./ Council State Govt.	Probation/Parole Executives/ Trainers.
February 2, 1989	Drug Treatment for Correctional Populations and Other Corrections Programs	Alex., Va.	BJA/ Justice HHS Education	State CJ & Health Treatment Officials Corrections Admin.
February 9 - 10, 1989 *	Drug Treatment in a Jail Setting Training Seminar (Hillsboroough Co. Jail)	Tampa, Fla.	AJA/BJA	Sheriffs, Interested in drug treatment

DATE	COURSE	LOCATION	SPONSOR	AUDIENCE
February 16, 1989	Drug Treatment for Correctional Populations and Other Corrections Programs	San Antonio, Tx.	BJA/Justice HHS Education	State CJ & Health Treatment Officials Corrections Admin.
February 19 - 23, 1989	IV. State Dept. Corrections Drug Treatment Strategics	Atlanta, Ga.	Harry Wexler & NDRI	Corrections and Drug Treatment Directors and Staff - 11 States and Guests
February 22 - 24, 1989	IV. State Dept. Corrections Drug Treatment Strategics	Birmingham Ala.	Harry Wexler & NDRI	Corrections and Drug Treatment Directors and Staff - 11 States and Guests
March 2, 1989	Drug Treatment for Correctional Populations and Other Corrections Programs	San Francisco California	BJA/Justice HHS Education	State CJ & Health Treatment Officials Corrections Admin.
March 5 - 9, 1989	Supervision of Drug Offenders for Probation/Parole Agencies	Long Beach, California	Am. Probation/Assoc./Council State Govt.	Probation/Parole Executives/Trainers.
March 18 - 23, 1989	Supervision of Drug Offenders for Probation/Parole Agencies	Chicago, Ill.	Am. Probation/Assoc./Council State Govt.	Probation/Parole Executives/Trainers.

DATE	COURSE	LOCATION	SPONSOR	AUDIENCE
March 21 - 23, 1989	Treatment and Control of Drugs in Correctional Facilities	Reno, Nevada	BJA/CRI	Those eligible to particpate in the Conference should be: Individuals who influence policy decisions and have agency-wide responsibilities for the following areas: security, substance abuse programs, employee assistance programs.
April 15 - 18, 1989	Intensive Supervision for Drug Offenders - Training	San Francisco California	BJA/NCCD	Those probation/parole agencies who are ready to implement an intensive supervision project.
April 16 - 20, 1989	Supervision of Drug Offenders for Probation/Parole Agencies	Boston, Mass.	Am. Probation/Assoc./Council State Govt.	Probation/Parole Executives/Trainers.
April 27 - 28, 1989	Prison Capacity Program "Cluster Meeting"	Madison, Wis.	NCCD	Corrections Policy Groups From 8 Program States

DATE	COURSE	LOCATION	SPONSOR	AUDIENCE
April 30 - May 3, 1989	American Jail Asso. (AJA) Annaul Meeting	Ft. Lauderdale	AJA	Jail Amnistrators
May 1, 1989	Drug Treatment in a Jail Setting Workshop - AJA	Hollywood, California	AJA	* Same as 2/9 - 2/10.
May 22, 1989 *	Mid-Atlantic States Correctional Association, Annual Conference Workshop on Drug Treatment in a Jail Setting	Kiamesha Lake New York	Mid-Correct-ional Assoc.	Corrections personnel in drug treatment in jails.
June 1, 1989	Washington State Jail Associastion Annual Statewide Conference - Workshop on Drug Treatment in Jails	Winachi, Washington	Wash. State Correctional Assoc.	* Same as 5/22
June 20 - 21, 1989	Drug Treatment in a Jail Setting Training Seminar (Pima Country Jail)	Tucson, Az.	AJA/BJA	* Same as 2/9 - 2/10
July 7 - 11, 1989	Supervision of Drug Offenders for Probation/Parole Agencies	Denver, Col.	Am. Pro-bation/ Assoc./ Council State Govt.	Probation/Parole Executives/ Trainers.
July 11 - 13, 1989	Treatment and Control of Drugs in Correct-ional Facilities	Baltimore, Maryland	BJA/CRI	* Same as 2/9 - 2/10

DATE	COURSE	LOCATION	SPONSOR	AUDIENCE
July 17 - 19, 1989	Drug Treatment in a Jail Setting Training Seminar (Hillsborough Co.)	Tampa, Fla.	AJA/BJA	* Same as 2/9 - 2/10
August 13 - 16, 1989	Prison Industry Workshop (Part of ACA Annual Congress)	Baltimore, Maryland	ACA	Prison and Jail Industry Administrators
September - mid-	V. State Dept. Corrections Drug Treatment Strategies	Delaware/ Washington, D.C.	NDRI	Corrections Drug Treatment Directors and Staff - 11 States
September 19 - 20, 1989	Drug Treatment in a Jail Setting Seminar (Pima Co. Jail)	Tucson, Az.	AJA/BJA	* Same as 2/9 - 2/10
October 30, - November 1, 1989	Drug Treatment in a Jail Setting Training Seminar (Hillsborough Co. Jail)	Tampa, Fla.	AJD/BJA	* Same as 2/9 - 2/10
November 1 - 3, 1989	AJA/Florida Mental Health Institute (FMHI) - Conference, "Critical Drug Abuse Challenge: A System's Response"	Tampa, Fla.	FMHI	* Same as 2/9 - 2/10
November 7 - 8, 1989	Drug Treatment in a Jail Setting Training Session (Cook County Jail)	Chicago, Ill.	AJA/BJA	* Same as 2/9 - 2/10

attachment 4-f

DRUG ABUSE INFORMATION SYSTEMS BRANCH

DATE	COURSE	LOCATION	SPONSOR	AUDIENCE
Jan 9-19	Initial DARE Seminar (Inst. Certification Tng.)	Phoenix, AZ	AZ Dept. Public Safety	Police Officer from AZ & other states
Jan 24-27	Data Processing for Managers in the Law Enf. Environment	Sacramento, CA	SEARCH	Mgrs. in Law Enf Agencies
Feb 14-17	Data Processing for Managers in the Law Enf. Envoronment	Sacramento, CA	SEARCH	Mrgs. in Law Enf. Agencies
Feb 15-17	CE	Kentucky	NASADAD	TASC Pgm Personnel, Criminal Just. State Planners & Admin.
Feb 27 & 28	CE	Wisconsin	NASADAD	TASC Pgm Personnel, Criminal Just. State Planners & Admin.
Mar 2 & 3	CE & SC	North Carolina	NASADAD	Court Admin., Probation & Parole Ofcrs., & Local Drug Abuse Trmt Providers
Mar 8-9	Planning for Automated Systems in the Sm to Med Sized Law Enf. Agency	Washington, DC	SEARCH	Law Enf. Personnel
Mar 13-15	SC/Assessment	California	NASADAD	Court Admin., Probation & Parole Ofcrs., & Local Drug Abuse Trmt Providers
Mar 14-17	Data Processing for Managers in the Law Enf. Envoronment	Sacramento, CA	SEARCH	Mrgs. in Law Enf. Agencies
Mar 21-23	D.A.'s Assistant User Tng	Washington, DC	SEARCH	
Mar 27-29	Microcomputer Applications for Criminal Just. Agencies	Forsyth, GA	SEARCH	Criminal Just. Personnel
Mar 29-31	TASC Microcomputer Tech & Research for TASC Programs	Sacramento, CA	CCH	

Apr 10-14	Trainers of Trainers Seminar	Phoenix, AZ	AZ Dept of Public Safety	Police Officers from AZ & other states
Apr 11-13	TASC Systems Coordination Training	South Carolina	NASADAD	Court Administrators, Probation Ofcrs. & Local Drug Abuse Trmt Providers
Apr 11-14	Data Processing for Managers in the Law Enf. Envoronment	Sacramento, CA	SEARCH	Mrgs. in Law Enf. Agencies
Apr 12-14	TASC Microcomputer Tech & Research for TASC Programs	Washington, DC	CCH	TASC Program Managers
Apr 19-21	Using Microcomputers for Crime Analysis	Washington, DC	CJSA/SEARCH	
Apr 24-28	TASC Critical Elements Tng	Honolulu, HI	NASADAD	TASC Pgm Personnel, Criminal Just State Planners & Admin.
Apr 26-28	D.A.'s Assistant User Tng	Washington, DC	SEARCH	
Apr 27-28	Planning for Automated Systems in the Sm to Med Sized Law Enf. Agency	Sacramento, CA	SEARCH	Law Enf. Personnel
May 4-5	Data Security - Protecting Info from Disaster & Prying Eyes	Washington, DC	CJSA	
May 16-18	Time Series Analysis	Washington, DC	CJSA	
May 16-17	Using Database Mgmt Software in Criminal Justice Agencies	Sacramento, CA		
May 23-25	Aids Policy for CJ Proff	Minneapolis, MN	NSA	State & Local Criminal Justice Policymakers & Planners
May 24-25	Using Database Management Software in Criminal Justice Agencies	Washington, DC	SEARCH	

May 24-	CE/Implementation	Hawaii	NASADAD	
May 31-Jun 2	D.A.'s Assistant User Tng	Washington, DC	SEARCH	
Jun 1-2	In-service Tng Seminar	Phoenix, AZ	AZ Dept Public Safety	Police Officers from AZ & other states
June 5-16	Initial DARE Seminar	Phoenix, AZ	AZ Dept Public Safety	Police Officer from AZ & other states
June 7-9	Computer Graphics for Data Presentations	Washington, DC	CJSA	
June 13--14	Using Hypercard Software in Criminal Justice Agenc.	Sacramento, CA	SEARCH	
June 12-14 *	Aids Policy for CJ Proff	Nashville, TN	NSA	State & Local Criminal Justice Policymakers & Planners
Jun 26-30	Trainer of Trainers Seminar	Los Angeles, CA	City of LAPD	Police Officers from Los Angele and other states
June 28-29	Planning for Automated Systems in the Small & Med. Sized Law Enf. Agency	Washington, DC	CJSA	
July 10-21	Initial DARE Tng	Phoenix, AZ	AZ Dept Public Safety	Police Officers from AZ & other states
July 18-20 *	Aides Policy for CJ Proff	Denver, CO	NSA	State & Local Criminal Justice Policymakers & Planners
Jul 19-21	Microcomputer Applications for Criminal Just. Agencies	Huntsville, TX	SEARCH	Criminal Just. Pers.
July 26-28	In-Service DARE Seminar	Springfield, IL	IL State Police Academy	Police Officer from IL & other states

Jul 31-Aug 11	Initial DARE Seminar	Richmond, VA	VA State PD	Police Officers from VA and other states
Aug 7-18	Initial DARE Seminar	Springfield, IL	IL State Police Academy	Police Officers from IL & other states
Aug 7-18	Initial DARE Seminar	Phoenix, AZ	AZ Dept Public Safety	Police Officers from AZ and other states
Aug 7-9	Expert Systems in Law Enf.	Washington, DC	CJSA	
Aug 23-24	Using Hypercard Software in Criminal Justice Agencies	Washington, DC	SEARCH	
Sept 11-15	Trainers of Trainers Seminar	Richmond, VA	VA State PD	Police Officer from VA and other states
Sept 11-22	Initial DARE Seminar	Los Angeles, CA	LAPD	Police Officers from CA and other states
Sept 13-14	Planning for Automated Systems in the Sm to Med Sized Law Enf. Agency	Sacramento, CA	SEARCH	Law Enf. Personnel
Sept 13-14	Using Database Mgmt Software in Criminal Justice Agencies	Washington, DC	SEARCH	
Sept 18-29	Initial DARE Seminar (Instructor Cert. Tng)	Springfield, IL	IL State Police Academy	Police Officers from IL and othe states
Sept 19-21 *	Aides Policy for CJ Proff	Boston, MA	NSA	State & Local Criminal Justice Policymakers & Planners
Oct 16-27	Initial DARE Seminar	Springfield, IL	IL State Police Academy	Police Officers from IL and othe states
Oct 24-26	Choosing Microcomputer Statistical Packages	Washington, DC	CJSA	
Nov 6-17	Initial DARE Seminar	Springfield, IL	IL State Police Academy	Police Officers from IL and othe states

Nov 13-17	Trainers of Trainers Seminar	Los Angeles, CA	LAPD	Police Officers from CA and other states
Nov 14-16	Using Microcomputers for Crime Analysis	Washington, DC	CJSA/SEARCH	
Nov 20-21	In-Service DARE Seminar	Richmond, VA	VA State PD	Police Officers from VA and other states
Nov 27-Dec 8	Initial DARE Seminar	Los Angeles, CA	LAPD	Police Officers from CA and other states
Dec 4-12	Initial DARE Seminar	Springfield, IL	IL State Police Academy	Police Officers from IL and other states
Dec 18-19	In-Service Tng Seminar	Phoenix, AZ	AZ Dept Public Safety	Police Officers form AZ and other states

*Denotes Tentative Dates

TOTAL COST FOR DAISE BRANCH: $836,964.00

ATTACHMENT 5 INDEX

BUREAU OF JUSTICE ASSISTANCE
TECHNICAL ASSISTANCE PROGRAM

Item	Number
Technical Assistance Program description by criminal justice system functional component	5-a

KEY POINTS:

- Technical assistance activities are designed to address state and local needs as well as to enhance the implementation of BJA demonstration programs.
- Significant on-site technical assistance is provided to individual state and local agencies in response to their unique needs.

attachment 5-a
6/7/89

BUREAU OF JUSTICE ASSISTANCE

FY1989 TECHNICAL ASSISTANCE GRANTS

A. ENFORCEMENT PROGRAMS

TITLE — AMOUNT

1. Narcotics Control Technical Assistance and Training — $675,000

GRANTEE: Institute of Law and Justice

This project provides the assistance and training to enable law enforcement personnel to use the latest state of the art police techniques in combatting drug trafficking including such approaches as reverse "stings" use of confidential funds, strike forces, street sweeps, etc.

2. Narcotics Taskforce Technical Assistance — $90,000

GRANTEE: Institute for Intergovernmental Research

This grant supplements an ongoing grant to the Institute for Intergovernmental Research. The direction of the technical assistance has been changed and the current grant will allow the use of video tape technology to expand the scope of the Technical Assistance. This assistance is given to twenty traditional law enforcement taskforces which are experimenting with a new shared management concept whereby all involved agencies work as equal partners.

3. Financial Investigation Technical Assistance and Training — $300,000

GRANTEE: Institute for Intergovernmental Research

This effort is designed to provide technical assistance and training to Financial Investigations Models. Grantee assists with the design and implementation at each site of the data collection instruments. The assistance is given in direct support of ongoing taskforces operating throughout the country, providing the sophisticated techniques needed to ferret out money laundering and other illegal funding devices which reveal the underlying criminal activity.

4. Assets Seizure/Forfeiture Training $450,000

GRANTEE: Police Executive Research Forum

This is a continuation of a grant which will expire on August 31, 1989. This extension will allow the delivery of statewide training in investigation and prosecution of drug traffickers with emphasis on the successful seizure of assets generated by the drug traffic, culminating in forfeiture for use by law enforcement agencies. It is a means of removing the profit from drug dealing and eliminating economic incentives.

B. PROSECUTION PROGRAMS

TITLE	AMOUNT
1. Innovative Drug Prosecution Techincal Assistance	$180,000

GRANTEE: American Prosecutors Research Institute

This is a continuation of the American Prosecutors Research Institute (APRI) project for technical assistance to local prosecutors requiring assistance in the investigation and prosecution of drug cases. This on-going project will continue to identify, document, and disseminate the best of expertise and experience existing in the nation for innovative prosecutorial policies, strategies, procedures and techniques to convict and incapacitate drug offenders. The project is also the primary technical assistance and training resource for BJA's prosecution-based demonstration projects and block grant funded projects.

2. Statewide Drug Prosecution Technical Assistance $180,000

GRANTEE: Institute for Intergovernmental Research

This is a project of specifically tailored technical assistance given to seven statewide drug prosecution programs. The total effort is directed at trafficking schemes that extend beyond local jurisdictional boundaries and to especially make use of those statewide enforcement entities such as Attorneys General and state police to detect and interrupt these larger networks.

C. COURTS PROGRAM

TITLE	AMOUNT
1. Drug Test Intensive Supervision Technical Assistance	$ 75,000

GRANTEE: Pretrial Services Resource Center

This is a continuation grant to the Pretrial Services Resource Center to provide direct technical assistance support to six sites conducting pretrial drug testing.

2. Differentiated Case Management Technical Assistance	$ 75,000

GRANTEE: EMT Group Inc.

This grant to the EMT Group will provide technical assistance support to six general jurisdiction courts participating under the DCM Program. Differentiated case management is a delay reduction technique whereby classes of cases are assigned to different tracks for handling due to the level of difficulty foreseeable in dealing with them.

3. Expedited Management of Drug Cases Technical Assistance	$ 90,000

GRANTEE: The American University

This is a new grant to provide direct technical assistance to operational units to be selected by BJA for participation in the Expedited Management of Drug Cases program. In essence, this is a means of fast tracking drug cases to insure a more expeditious handling and result.

4. Adjudication Technical Assistance and Training Program	$475,000

GRANTEE: The American University

This Program of technical assistance and training is being continued with a new grantee, just selected following competitive review. Assistance is given to courts throughout the country on court delay reduction, jail crowding, jury management and related management improvement efforts, drawing on successful experiences in the field through use of peer to peer guidance. A special emphasis is given to the implementation of proven block grant projects.

D. CORRECTIONS PROGRAMS

TITLE AMOUNT

1. State Department of Corrections
Demonstration Technical Assistance $200,000

GRANTEE: To be determined

This is a grant for the final year of a three year effort. The project provides technical assistance and evaluates the development and implementation of drug strategies for statewide corrections programs.

2. Probation/Parole Interdiction
Training $225,000

GRANTEE: Council of State Governments

This is a continuation grant to the Council of State Governments. to conduct a program of research and training to reduce incidence of drug abuse and subsequent rearrest or revocation of probation or parole. It is based on the documentation of successful surveillance and intervention techniques.

3. Intensive Supervision
Technical Assistance $112,500

GRANTEE: National Council on Crime and Delinquency

This is a program of directed technical assistance to intensive supervision demonstration sites covering the entire gamut of techniques to tighten oversight of offenders released to the community including, drug testing and electronic surveillance. An evaluation report will also be prepared.

4. Drug Treatment in Jails
Technical Assistance and Training $100,000

GRANTEE: American Jail Association

This application from the American Jail Association is a continuation of efforts to assist local jails and community corrections agencies to improve their drug screening and treatment services. Training, technical assistance, evaluation and program coordination services for the continuation of the Pima County project will be provided.

5. Technical Assistance to Corrections $187,500

GRANTEE: Corrections Research Inc.

This is a continuation to Corrections Research Inc. for technical assistance to state corrections agencies. Assignments cover drug treatment, organization, management, strategy development and screening instruments. Regional training is provided on special topics such as special handling of drug dealers and eliminating drugs in the institution. Emphasis is given to assisting state block grantees.

E. STATE WIDE PROGRAMS

TITLE	AMOUNT
1. Treatment Alternatives to Street Crime Program Development Technical Assistance and Training	$237,500

GRANTEE: National Association of State Alcohol and Drug Abuse Directors

This is a continuation to the National Association of State Alcohol and Drug Abuse Directors for technical assistance to state and local governments and non-profit organizations to establish or improve drug dependent offender case management programs.

2. COMPUTER LABS $250,000

GRANTEE: SEARCH Group Inc.

3. TRAINING CENTERS $250,000

GRANTEE: Criminal Justice Statistics Association

These grants continue support to the joint efforts of the Criminal Justice Statistics Association (CJSA) and SEARCH Group, Inc., in the conduct of the laboratories and training centers. JAA funds identified by the Congress for systems support are programmed. The existing, joint award expires on 6/30/89.

4. Drug Abuse Resistance Education $124,967

Arizona DARE RTC

GRANTEE: Arizona Department of Public Safety

Los Angeles DARE RTC $125,000

GRANTEE: City of Los Angeles Police Department

Illinois DARE RTC $125,000

GRANTEE: Illinois State Police Academy

VIRGINIA DARE RTC $125,000

GRANTEE: Virginia State Police

North Carolina
DARE RTC $125,000

The North Carolina Department of
Justice, State Bureau of Investigation

These five grants for the DARE Program provide training for police officers who teach in classrooms and on-site and documentary technical assistance to police agencies and schools replicating the DARE program within states for which they have jurisdictional responsibility. Each center is assigned a specific number of states to provide training and technical assistance for.

5. Serious Juvenile Offender
Technical Assistance $200,000

GRANTEE: Pacific Institute for Research and Evaluation

This project provides technical assistance to demonstration project which make use of restitution as a means of teaching accountability to juveniles as well as bringing relief to victims.

8. Coordinated Interagency
Drug Training and Technical Assistance $400,000

GRANTEE: The American Probation and Parole Association and the National Association of State Alcohol and Drug Abuse Directors

This is a new grant for a joint effort by two field-based organizations: The American Probation and Parole Association and the National Association of State Alcohol and Drug Abuse Directors. The project will facilitate coordination and information sharing between local drug abuse treatment agents and local probation/parole officers. Training and technical assistance is slated for every state. This effort is badly needed to break through misunderstandings and misconceptions of each group by the other, the tendency for each to work a cross-purposes, and the resulting poorly-coordinated supervision and monitoring of the drug dependent offender.

F. JUSTICE ASSISTANCE ACT PROGRAMS

	TITLE	AMOUNT
1.	Operational Information Systems Technical Assistance	$400,000

GRANTEE: SEARCH Group, Inc.

This project continues a BJA technical assistance and training program by providing needed technical assistance and training for state and local criminal justice agencies on information system. In accordance with Congressional guidance, this program, especially the provision of on-site assistance, will function under strict priorities, with states lacking, and in need of, automation receiving priority attention.

ATTACHMENT 6 INDEX

BUREAU OF JUSTICE ASSISTANCE
EVALUATION PROGRAM

Item	Number
BJA Evaluation Program summary	6-a
Selected programs for FY 1989 evaluation emphasis	6-b

KEY POINTS:

- o BJA, in cooperation with the National Institute of Justice, has developed a comprehensive evaluation program for BJA's formula and discretionary grant programs.
- o A significant element of the evaluation program is the identification and assessment of existing state and local drug control programs as potential model programs. These programs, in most instances, will be programs developed and funded solely at the state or local level.

attachment 6-a
5/25/89

Evaluation Activities of the Bureau of Justice Assistance FY 1989

The Bureau of Justice Assistance (BJA) is implementing an expanded evaluation program which reflects the new mandates of the Anti-Drug Abuse Act of 1988. When fully implemented, the evaluation program will pull together the substantial evaluative activities already in existence by establishing stronger planning, coordination, and reporting functions that will produce an integrated evaluation program. This will provide BJA's program managers, as well as those outside the Bureau, with improved guidance, technical assistance, and program results to meet the Bureau's objectives.

Evaluation Program Description

The total BJA evaluation program is conducted separately at each level of the Bureau's organization and consists of an integrated series of evaluation studies and practices. It also includes selected evaluation practices incorporated into program operations, such as the Annual Project Report Forms, which provide feedback on results.

EVALUATION STUDIES UNDER THE BJA EVALUATION PROGRAM

--Program Evaluations

--Special Evaluations

--Design and Implementation Studies

--Project Monitoring and Analysis

--Administrative, Technical, and Financial Reviews

BJA Initiatives in FY 1989

The Bureau is working to ensure that all evaluation activities are coordinated and focused for the purpose of improving approaches at all levels to address the problems of drug abuse and strengthening weaknesses in the Nation's criminal justice system. The following evaluation initiatives will contribute in achieving this goal:

- The Bureau is working closely with the **National Institute of Justice** to coordinate individual and joint evaluation strategies to make the best use of limited resources for planning, designing, and conducting evaluations as shown in the Table on page 4. During FY

1989, twelve evaluations will be initiated by NIJ covering BJA's formula and discretionary grant programs. To support these activities, BJA will provide $2 million and the Institute will provide $1 million.

- **The Consortium to Evaluate the Impact of the State Drug Strategies** is a BJA project designed to develop standardized evaluations of drug control efforts at the state level. In FY 1989, the Consortium is defining, collecting, and analyzing information on drug control efforts and recommending ways to provide policy makers at the federal, state, and local levels with feedback on the effectiveness of state drug control strategies.

- **Evaluation Guidelines** are under development as a series of documents providing direction and assistance to the States, as well as BJA grantees, in conducting and reporting on evaluation activities. The first guidelines document, establishing the overall framework for the evaluation program, will be issued in June 1989. This will be followed by other documents covering useful evaluation approaches and methods in the form of implementation manuals.

- **Annual Project Report Forms** are under revision to include the program areas addressed in the Anti-Drug Abuse Act of 1988. These will be issued in time for both the States and BJA program managers to establish data collection and monitoring for funded projects.

- The **Performance Evaluation and Assessment System** is being revised to correspond to the new Annual Project Report Forms, and will establish a national database of information that can be used to assess the overall impact of drug control and system improvement efforts.

Each recipient of Formula Grant funds, under the Drug Control and System Improvement Grant Program:

- Keeps records on all evaluation activities focused on projects/programs which receive Formula Grant funds, as well as any other evaluations conducted or contracted by the State administrative authority.

- Responds to BJA's annual request for information on State sponsored or conducted evaluations.

- Participates, along with BJA and the National Institute of Justice, in the annual planning of national level evaluations of selected projects/programs receiving Formula Grant funds.

BJA annually requests information on drug control evaluations. The Bureau encourages the States to send information on active and completed evaluations on an ongoing basis. BJA is especially interested in learning of new approaches and methods used in evaluations that States found to be useful, and that produce successful evaluation results which met their needs.

Features of the BJA Evaluation Program

The Bureau accepts a broad definition of evaluation, and its purpose as the process of appraising the manner and extent to which BJA and States programs are:

- Achieving their stated objectives;
- Meeting the performance perceptions and expectations of responsible officials, interest groups, and the public; and
- Supporting management decisions that provide direction for the implementation of the Drug Control and System Improvement Grant Program.

The Bureau's need for evaluation results are diverse, which is also true of the approaches and methods used to perform evaluations. Hence, BJA is developing a full range of options beginning with ongoing monitoring activities, through implementation and design studies, to comprehensive evaluation research. This strategy will permit the Bureau to ensure that an evaluation component can be established for each project under the formula grant program and the grants awarded under the discretionary grant program.

Finally, BJA believes that FY 1989 will witness a substantial improvement in its evaluation program's organization and capability, based on the initiatives outlined above. This is a realistic assessment of the program's potential based on the progress that has been achieved to date.

attachment 6-b
5/25/89

FY 1989 National Institute of Justice Evaluation Activities for the Bureau of Justice Assistance

Bureau of Justice Assistance
OFFICE OF JUSTICE PROGRAMS

	TYPE OF EVALUATION*	EVALUATION FUNDING
Crime Prevention and Demand Reduction Community Programs	A	250,000
Assest Seizure and Forfeiture	A	250,000
Focused Offender Disposition	A	200,000
Expedited Case Management	A	200,000
Shock Incarceration (Boot Camps)	A	120,000
Drugs in Public Housing	A	480,000
Crack-Focused Substance Abuse	A	200,000
Street Level Enforcement	A	200,000
Interjurisdictional Task Forces	B	200,000
Evaluation of State Drug Strategies	B	100,000
Innovative Local Programs (Two underway; others being planned)	B	800,000
TOTAL NIJ EFFORT FOR BJA		3,000,000

---

*EVALUATION STUDIES UNDER THE BJA EVALUATION PROGRAM

A. Program Evaluations
B. Special Evaluations
C. Design and Implementation Studies
D. Project Monitoring and Analysis
E. Administrative, Technical, and Financial Reviews